Progressive Farmer, against duty on linotype machines—to the Committee on Ways and Means.

By Mr. RANDELL of Texas: Petitions of citizens of Dorchester, Bells, Hail, Hagerman and Locust, Monkstown, Fannin County, Gover, Pilot Grove, Farmersville, Gunter, Randolph, Grayson County, Emery, Whitesboro, Savoy, Collinsville, Hyde Park, Kentuckytown, Southmayd, Denison, Dripping Springs, Des Voigues, and Tioga, and city councils of Denison and Bailey, Tex., for an appropriation to improve upper Red River—to the Committee on Rivers and Harbors.

By Mr. RANSDELL of Louisiana: Paper to accompany bill for relief of estate of Daniel Y. Grayson—to the Committee on War Claims.

By Mr. REYBURN: Petition of Robert Folk, of Philadelphia, against amendment to the copyright bill inimical to published photographs in newspapers—to the Committee on Patents.

Also, paper to accompany bill for relief of Isaac Williams (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. SMITH of Pennsylvania: Petition of 36 members of Troop D, State police, Punxsutawney, Pa., for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. STANLEY: Paper to accompany bill for relief of Absalom R. Shacklett—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Paper to accompany bill for relief of Archibald Bamber—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: Paper to accompany bill for relief of George A. Wood—to the Committee on War Claims.

By Mr. WILLIAMS: Paper to accompany bill for relief of James M. Dick (previously referred to the Committee on Pensions)—to the Committee on Invalid Pensions.

By Mr. WOOD of New Jersey: Paper to accompany bill for relief of John C. Opdyke—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

SUNDAY, *January 20, 1907.*

The House met at 2 o'clock p. m., and was called to order by Hon. THETUS W. SIMS, of Tennessee, Speaker pro tempore.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Infinite Spirit, Father of all souls, we bless and adore Thy holy name for Thy goodness and for Thy wonderful works to the children of men. Especially do we thank Thee for the pure, the noble, the true, the great men whom Thou hast raised up in every age of the world's history as beacon lights to guide their successive generations onward and upward to higher civilization. We are here to-day to commemorate the life and character of such a man, one who by dint of his devotion to duty rose step by step to eminence and leadership; a soldier brave and valiant in two wars; a student ever seeking truth; a statesman working for the good of his countrymen. We bless Thee for what he did, yet more for what he was. His character will live and be a special guide to those who shall come after him to high living and to noble life. Bless and comfort, we pray Thee, the bereaved, those who mourn his loss. A loving father, a faithful husband, a dutiful son, beautiful in his devotion to his mother, seeking religion at the same altar where she worshiped, baptized in the same stream where she was baptized, living always near to Thee. O God, we pray Thee to comfort the living with the blessed hope that some time, somewhere, they will go to him and dwell forever in his presence. And peans of praise we will ever give to Thee. In Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. GAINES of Tennessee. Mr. Speaker, I ask the adoption of the resolutions which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That in pursuance of the special order heretofore adopted, the House proceed to pay tribute to the memory of the Hon. W. B. BATE, late Senator from the State of Tennessee.

Resolved, That as a further mark of respect to the memory of the deceased and in recognition of his distinguished career and his great service to his country as a United States Senator, the House, at the conclusion of the memorial proceedings of this day, shall stand adjourned.

Resolved, That the Clerk of the House communicate these resolutions to the Senate.

Resolved, That the Clerk of the House be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased.

The resolutions were unanimously agreed to.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent that those Members who are absent and unable to be present and speak to-day may have leave to print remarks in the RECORD on the life and character of the late Senator BATE, and those who speak may extend their remarks, if they so desire.

The SPEAKER. Without objection, the request of the gentleman from Tennessee will be agreed to.

There was no objection.

Mr. GAINES of Tennessee. Mr. Speaker, WILLIAM BRIMAGE BATE was born October 7, 1826, near Bledsoe Lick, Castalian Springs, Sumner County, Tenn., and died March 9, 1905, at 6 a. m., in his apartments, Ebbitt House, Washington, D. C., having only a few days before, for the fourth time, taken the oath as Senator from the State of Tennessee.

He received his early education in a school, known then as "Rural Academy," near his birthplace. Between sessions he worked on the farm. His father, James H. Bate, a pioneer, died when this son was about 15 years of age. Of these pioneers Gen. Andrew Jackson says:

A man who is born and reared amongst this people deserves but little credit for being a soldier and a gentleman, for he can't help it.

Senator BATE was both.

After the death of his father, young BATE continued to work on the farm and attend the country school for about two years, when he sought a wider field of action, and next we hear of him employed as a "second clerk" on the *Saladin*, a boat plying the Cumberland and Mississippi rivers between Nashville, Tenn., and New Orleans. He was thus employed when this boat, in 1846, collided with and sank the *Congress* on the Mississippi River near Washington Point.

When the Mexican war began with the United States he was in New Orleans, where, May 15, 1846, he joined the army of his native country to serve six months, which he did, and was "honorably mustered out at New Orleans August 14, 1846, with his regiment and company." The press states that he was the first Tennessean to reach the scene of hostilities.

On October 2, 1847, at Nashville, Tenn., he reentered the "service, returned to Mexico, did his duty well, and was again honorably mustered out at Memphis, Tenn., July 22, 1848, with his regiment and company."

Desiring to get, if possible, correct information of at least the main features of his military record, my request for this intelligence was promptly honored by the War Department, through its very efficient Military Secretary, as shown by the following correspondence:

WAR DEPARTMENT,
THE MILITARY SECRETARY'S OFFICE,
Washington, June 16, 1906.

Hon. JOHN W. GAINES,
House of Representatives.

DEAR SIR: In compliance with the request contained in your letter of the 14th instant, I have the honor to transmit herewith a statement of the military service of the late Senator WILLIAM B. BATE.

Very respectfully,

F. C. AINSWORTH,
The Military Secretary.

MEXICAN WAR.

Statement of the military service of William B. Bate, war with Mexico.

WILLIAM B. BATE was mustered into the service of the United States at New Orleans, La., May 15, 1846, as a sergeant in Company F, Fourth Louisiana Infantry, to serve six months. The regiment arrived at Brazos Santiago May 26, 1846, and at Lomita, Mexico, June 4, 1846. He was honorably mustered out of service with his company and regiment as a private at New Orleans, La., August 14, 1846.

He reentered the service at Nashville, Tenn., October 2, 1847, as a private in Company I, Third Tennessee Infantry, commanded by Col. Benjamin F. Cheatham, to serve during the war, and was promoted to be first lieutenant of the same company October 8, 1847. He accompanied his regiment to Mexico, in which country it was stationed at the City of Mexico, Veracruz, Jalapa, Puebla, and Molino del Rey. Returning to the United States, he was honorably mustered out with his company and regiment at Memphis, Tenn., July 22, 1848.

We see, when his country no longer needed his military services, he returned to the civic circle of life and established and edited at Gallatin, Tenn., a weekly newspaper called the "Tenth Legion."

He soon attracted the attention of the people, in fact, throughout his life he was their champion.

When about 23 years old he served one term—1849–50—in the lower house of the Tennessee legislature. His campaign for this office became historic, and is, with pride, often recalled by the old citizens of middle Tennessee. There were nine candidates, but Lieutenant BATE'S main competitor was the late Gen. George Maney, a gentleman of great natural ability, scholarly, and a fluent speaker. They were both young men of great promise, but the young lieutenant was elected.

Concluding his legislative services, he entered the noted Cumberland University, Lebanon, Tenn., from which he graduated in 1852. He formed a partnership with Maj. George W. Winchester, one of Tennessee's most gifted speakers and able lawyers, and began the practice of his profession at Gallatin, Tenn. Two years thereafter he was elected attorney-general

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for the circuit composed of Davidson, Sumner, and Wilson counties, and served from 1854 to 1860.

While yet attorney-general he was tendered by the Democrats the nomination for Congress, but declined the honor, and served his full term, six years, in the office to which he had asked the people to elect him.

While thus engaged he met at the bar many eminent lawyers of middle Tennessee, and particularly at Nashville, Franklin, and Gallatin.

In speaking of his record in this office, Col. Baxter Smith, an ex-Confederate soldier and prominent lawyer of Nashville, formerly of Gallatin, who, from his boyhood, knew General BATE, thus writes me:

It was characteristic of him to be indefatigable in the preparation of his cases for trial, and with his knowledge of men and his quick perception he was always able to present the State's side of the case in the most favorable attitude. As a result he was able to cope with the most distinguished of lawyers in the many important cases he prosecuted, and he went out of the office having added greatly to his reputation.

General BATE did not pose as, nor was he considered, a great lawyer, but he was a great advocate and a wonderfully successful practitioner. He marshaled the facts of and presented his case, as he did in his public speeches, with great force and effect. Throughout the man's life there was a ring of persuasive sincerity in his voice that caught the ear; there was an appealing sense of justice in his words that touched the hearts of his hearers, whether juries or the people of Tennessee, whom he so often addressed. These charming characteristics and his manly and chivalric mannerism, with the close study that he always gave any subject he discussed, made him a formidable antagonist at the bar, on the hustings, and in the Senate of the United States.

On January 17, 1856, Lieutenant BATE was married to Miss Julia Peete, of Huntsville, Ala., who, with their two daughters, Mrs. Susan Bate Childs and Mrs. Mazie Bate Mastin, survive him.

General BATE was an intense Democrat of the Calhoun school. He was often called on to make political speeches in many, if not all, of the stirring campaigns that occurred in Tennessee from his advent in public life, which we see began when he was about twenty and three years of age. He was a candidate in his Congressional district for elector on the Breckinridge and Lane ticket in 1860. His opponent was Col. E. I. Golliday, of Lebanon, Tenn., one of the most eloquent speakers in the State, who afterwards served as a Member of Congress from the Fourth Congressional district of Tennessee. In this campaign Colonel Smith says: "General BATE acquitted himself, as a political speaker, with entire satisfaction to his friends."

In 1861, as might have been expected, General BATE cast his fortunes of war with his native State, and was among the first Tennesseans to enlist in the Confederate service, and went to Virginia.

Of his Confederate record, General Ainsworth writes me as follows:

CIVIL WAR.

WILLIAM B. BATE was elected colonel of the Second Tennessee Infantry, Provisional Army, May 6, 1861, and was appointed to that position by the President of the Confederate States, to take rank April 27, 1861; was promoted to be brigadier-general, Provisional Army, October 3, 1862, and to major-general, Provisional Army, February 23, 1864.

From May 26, 1861, to July 18, 1861, Colonel BATE and his regiment performed duty at Fredericksburg, Brookes Station, and other points between the Potomac and Rappahannock rivers, in the military department of Fredericksburg, bearing a part in resisting an attack by Union naval vessels on the Confederate batteries at Aquia Creek June 1, 1861. Of Colonel BATE's service on this occasion Col. Daniel Ruggles, his superior commander, says:

"The conduct of my entire force, under the command of Colonel BATE, of the Walker Legion, until my arrival on the field was admirable throughout the day."

Another officer, writing from Aquia Creek to the Confederate secretary of war, under date of June 1, 1861, says:

"Colonel BATE has been assigned the command of the brigade here, composed of his own regiment and the Virginia troops present, and is working with a zeal consistent with the energy and enthusiasm of his nature."

The Second Tennessee was on the field of the first battle of Bull Run, fought July 21, 1861, as a part of Brig. Gen. T. H. Holmes's brigade, but it did not become actively engaged with the enemy. Soon afterwards the regiment returned to the line of the Potomac and was stationed at Evansport, Va., where it confronted the Union forces, occupying the Maryland side of the river until February, 1862. About the middle of that month a sufficient number of its members having reenlisted for the war, and thus insured the continuation of the organization beyond its first year's enlistment, Colonel BATE conducted the reenlisted men to Tennessee on a furlough granted until April 1, 1862.

The regiment was reorganized at Corinth, Miss., April 3, 1862, and, under the command of Colonel BATE, participated in the battle of Shiloh, Tenn., April 6, 1862. General Cleburne, the brigade commander, in his official report, refers to the regiment and its commander as follows:

"Here the Second Tennessee, coming up on the left, charged through a murderous cross fire. The gallant major * * * fell mortally wounded, and the colonel, W. B. BATE, had his leg broken by a minie ball. Tennessee can never mourn for a nobler band than fell this day in her Second Regiment."

Under date of November 22, 1862, Gen. Braxton Bragg, commanding the army of Tennessee, reported to the adjutant and inspector-general, Confederate States army, that "BATE and * * * are not likely to return to field duty for months." On February 23, 1863, Brigadier-General BATE, then in temporary command of the district of the Tennessee, was assigned to duty with Lieutenant-General Polk's corps and, on March 12, 1863, was placed in command of a brigade in Stewart's division. He subsequently bore a part in the Tullahoma campaign, being engaged in action at Hoover's Gap, Tennessee, June 24–26, 1863. He also participated, as a brigade commander, in the succeeding campaign of Chickamauga. Regarding his services in the battle of Chickamauga, September 19 and 20, 1863, General Stewart, the division commander, says:

"I desire to express my high appreciation of Brigadier-Generals Brown, BATE, and Clayton, and of their respective commands. Representing the three States of Alabama, Georgia, and Tennessee, they vied with each other in deeds of high and noble daring. The Confederacy has nowhere braver defenders led by more skillful commanders."

He continued to command a brigade in the ensuing Chattanooga-Ringgold campaign until November 19, 1863, on which date, by virtue of seniority of rank, he was placed in command of Breckinridge's Division, which he commanded in the battle of Missionary Ridge, November 25, 1863, and in covering the retreat of the Confederate army therefrom. General Bragg, the army commander, in his official report, says:

"Brigadier-Generals * * * and BATE * * * were distinguished for coolness, gallantry, and successful conduct throughout the engagements and in the rear guard on the retreat."

On February 27, 1864, while at Dalton, Ga., Major-General BATE was regularly assigned to the command of Breckinridge's Division, which was thereafter designated as "Bate's Division."

In opposing General Sherman's advance on Atlanta; with General Hood's northward movement, culminating in the battles of Franklin and Nashville; and in the campaign of the Carolinas, terminating in the surrender of General Johnston's army at Durnham station, N. C., April 26, 1865, General BATE bore an active part, being wounded in front of Atlanta August 10, 1864. All of the troops of Cheatham's corps engaged in the battle of Bentonville, N. C., March 19, 1865, were commanded by General BATE. He was paroled at Greensboro, N. C., May 1, 1865.

Official statement furnished to Hon. JOHN W. GAINES, House of Representatives, June 16, 1906.

By authority of the Secretary of War:

F. C. AINSWORTH,
The Military Secretary.

Being a mere child during the civil war, I have no personal knowledge of the fortitude and many heroic deeds of General BATE during that conflict, but have the good fortune of being able to present to-day, in pleasing detail, from the pen of another, some of his heroic acts in that unfortunate and bloody struggle.

Dr. William J. McMurray, who was first lieutenant in Company B, Twentieth Tennessee Infantry, often called by General BATE his "Tenth Infantry Legion," in the Nashville American of March 10, 1905, writes most interestingly of the brilliant military career of General BATE. Doctor McMurray, whom I well knew, was himself a brave Confederate soldier, and to his recent death a distinguished physician of Nashville. Doctor McMurray says:

In May, 1861, when the clouds of war began to hang low, General BATE offered his services to the South and joined its forces as a private. He was at once elected captain and then colonel of that famous Second Tennessee Infantry Regiment.

His last[a] great battle was that of Shiloh, where he shared the work of Cleburne's brigade of Hardee's corps on the extreme left of the Confederate lines. Here he bravely led his regiment through a murderous fire, when he fell severely wounded, a minié ball breaking both bones of his leg and cutting an artery under his knee. His horse was killed at that same time.

MADE A BRIGADIER.

His gallantry and that of his regiment was so marked that he was honorably mentioned in the reports of both Generals Cleburne and Hardee, and on October 3, 1862, he was promoted to brigadier-general, and on this spot where he fell his old regiment has erected a monument.

On account of his wound he was put in temporary command of the district of northern Alabama. In February, 1863, he was again assigned to the field and put in command of Raines's brigade of Polk's corps, General Raines having been killed in the battle of Murfreesboro, and in June, 1863, he was removed from this brigade and assigned to a newly formed brigade, composed of the Fifty-eighth Alabama, Thirty-seventh Georgia, Fifteenth, Thirty-seventh, and Twentieth Tennessee regiments, and Caswell's Georgia Battalion, and assigned to the division of the grand old hero, A. P. Stewart, Company B, Twentieth Tennessee Infantry, his Tenth Infantry Legion.

He took part in the Tullahoma campaign with much credit.

AT HOOVERS GAP.

At the battle of Hoover's Gap, on June 23, 1863, General BATE, with the Twentieth Tennessee Regiment and the little Georgia battalion, fought for two hours two brigades of Federals, and when other reenforcements came up, which was the remainder of his brigade, General Stewart arriving upon the field about nightfall, found General BATE in command with a flesh wound in his leg, but still on the firing line.

General Rosencrans, in his official report, says this little handful of soldiers under BATE delayed the left wing of his army for thirty-six hours and prevented him from getting possession of Bragg's communications and forcing him to a disastrous battle.

It was about this time that the political parties of Tennessee offered General BATE the nomination for governor of Tennessee, which would take him from the field, but he declined and said he could not accept a civil position while he could serve his people upon the field.

[a] Error evidently, as article shows he was engaged in several "great battles" after Shiloh fight.

OPENED FIRE AT CHICKAMAUGA.

General BATE next took a prominent part in the battle of Chickamauga; he fired the first gun in that historic struggle, on the banks of the river of death, on Friday evening, September 18, driving the Federals from Thedfords Ford, crossing that stream the next morning, and about 2 p. m. went into action as a part of the Confederate reserve. During this first charge of Stewart's division, which was composed of the brigades of Brown, Clayton, and BATE, the Federal right center was broken for the first time, and the enemy was driven back for more than 1 mile down by the Kelly house, on across the Rossville road, down to the tanyard, in the Dyer field, and a glance at the map of that field will show that BATE led his men farther to the front than any other Confederate troops that day.

HORSES KILLED UNDER HIM.

The next day BATE and his men participated in that death struggle. All day long the battle raged until finally Snodgrass Hill was captured, and when that great blue mass slid down from the northern slope of Snodgrass Hill the Eufaula battery was attached to BATE'S brigade that had fired the first gun of the battle on Friday evening and fired the last gun on Sunday evening.

In this engagement BATE'S brigade entered the fight with 1,055 muskets and had killed and wounded 607. Every field officer in his brigade was killed or wounded but two or three.

MADE MAJOR-GENERAL.

After this battle President Davis followed in the track where BATE and his men fought, and in less than thirty days Brigadier-General BATE, of infantry, was offered a major-general's commission of cavalry. At the battle of Missionary Ridge General BATE commanded Breckinridge's old division just east of the road that led by Bragg's headquarters.

Throughout the Georgia campaign of one hundred days' fight he commanded his division in Hardee's corps. At Resaca he drove back every attempt of the enemy, and at Dallas, Ga., he assaulted Logan's corps in their trenches. On the 22d of July he led the flank movement under Hardee which brought on the famous battle of Atlanta, in which General McPherson was killed.

On the 6th of August, with his division alone, he fought the battle of Eutaw Creek that checked the right-flank movement of the enemy around Atlanta, capturing several flags, and punishing the enemy very severely in this engagement. He was shot through the knee and sent to the hospital at Barnesville, Ga. He recovered from this wound just in time to join Hood in his ill-fated campaign in Tennessee.

AT BLOODY FRANKLIN.

In this campaign he commanded a division in Cheatham's corps, which was Hardee's old corps, and was with this corps when the great mistake was made at Spring Hill, and the next day led his division upon the bloody works at Franklin, where many of his men gained the interior of the enemy's works and held them until the Yankees retreated. Next morning after the battle General Hood ordered General BATE to take the remnant of his division and proceed across the country to the Nashville and Chattanooga Railroad and destroy all the blockhouses and bridges between Murfreesboro and Nashville. He was then ordered to rejoin Hood at Nashville, which was done only a few days before the battle of Nashville.

It was in this engagement his division was nearly annihilated. While at the angle on that line his Tennesseans were demolished and his Georgians fought until they were surrounded on three sides, yet BATE, with crutch in hand, rode up and down his line urging his men to hold fast. He retreated out of Tennessee with Hood and finally followed Joe Johnston into the Carolinas, and at the battle of Bentonville, the last battle note of the war, General BATE commanded the remnant of his old division and that of Cleburne's, and assaulted the Federal earthworks, overrun them, driving the enemy back and capturing many prisoners. In this, the last battle and dying agony of the Confederacy, Gen. WILLIAM B. BATE, with crutch in hand and suffering from many wounds, was a conspicuous figure. He stood here literally in the last ditch.

General BATE returned to Nashville after the war and enjoyed a lucrative practice in the law, was twice elected governor of the State, and four times sent by an appreciative people to the United States Senate, the greatest honor within their gift.

No braver soldier ever unsheathed a sword or shouldered a gun than General BATE. Whether walking or riding, sick or well, mangled on the battlefield, or hobbling on crutches, defying the imperious surgeon's knife, or facing the mowing grapeshot, he was the personification of dauntless courage, demanding his rights as he saw them, courting death at every turn, rather than be unfaithful in the least, act a coward in the slightest, or fall short of the full measure of duty well done.

Ever cautious, studious, and thoughtful before arriving at his conclusions, whether the question concerned a civic, military, or legislative responsibility, he always had an opinion as to what was right and what was wrong, and unbendingly and immovably stood for what he thought was right. He never bent the truth nor swerved in doing, or trying to do, his full duty, regardless of the consequences.

He never struck below the belt. He was always open, frank, with friend or foe, a gentleman of the very highest honor, and as far from fraternizing at any time, anywhere, with any man who fell short of this high standard as any man who was ever honored by State or nation.

So severe was his wound received at Shiloh that the Army surgeon informed General BATE that he must amputate his leg to save his life. But General BATE said it should not be done. The surgeon came to perform the operation, and General BATE drew his pistol and said to the surgeon that he would kill him if he undertook to do so. General BATE was victorious, saved his leg, but ever afterwards walked lame and almost uniformly with a heavy hickory stick.

His friends thought after this wound that he would be unfit for active duty in the field, and, in 1863, urged him to accept the nomination for the governorship of Tennessee, but he refused and replied in the following remarkably characteristic words:

WARTRACE, *July 17, 1863.*

To Messrs. Galloway, Rice, Winchester, Brown, and others.

GENTLEMEN: In reply to your telegram of to-day I beg to say that, however flattering the honor you suggest and to which I am not insensible, there is a duty that rises above it. As a son of Tennessee and a southern soldier, I would feel dishonored in this hour of trial to quit the field. No, sirs; while an army foe treads our soil and I can fire a shot or draw a blade I will take no civic honor. I had rather, amid her misfortunes, be the defender than the governor of Tennessee. Let me exhort to harmony.

Respectfully, W. B. BATE.

I dare say he never sought, as a Mexican or Confederate soldier, as a private or major-general, any position of security, if duty called him elsewhere. He was the kind of a man who would resolve every doubt against himself in deciding on what his full duty was as a citizen, on the battlefield, or in any civic position he ever filled.

He was amongst the first Tennesseans to enlist as a Federal soldier in the Mexican war. He was one of the first Tennesseans to enlist as a Confederate soldier in the civil war. In each of these wars he fought to the last—until the bloody sword had settled the questions in dispute. And when death touched him with the harness still on he would have then died for his country if it had been necessary. The man's whole life shows that this is not an extravagant statement.

Though the cause of the Confederacy was to him always an absolutely just cause—a fight for equal rights for equal States—he accepted the arbitrament of the sword in 1865, and like a manly and patriotic man, that he was, stood sponsor for a reunited country in fact and law, and died as he wished—in the service of his native State and country, a wish his State had gratified by electing him the fourth time to the Senate at the advanced age of 79 years, and over one of Tennessee's most gifted statesmen.

Having been designated by the Secretary of War as one of those to speak for Confederates at the dedication of Chickamauga and Chattanooga National Military Park, General BATE delivered a most memorable speech, which I hope that every member of Congress, and every man, woman, and child in this Republic may at an early day impartially read and study.

General BATE, in part, said:

The principles in defense of which the South accepted battle were found in the Constitution. Whatever may be the right or the wrong, the South believed she was right, and the principles in defense of which the South accepted battle, after peaceably seceding from the Union, were found in the Constitution and taught by the fathers. The South claimed and asked nothing more than equal rights, not of persons only, but of States, equal privileges in all parts of the Union; equal protection wherever the flag floated to every person and to every species of property recognized by any State. Less than that was subordination, not equality.

Thus, Mr. Chairman, it may be seen that the facts of history, the writings of the founders of our Federal system, the reservations of the States when ratifying the Constitution, and, it may be said, the resolutions and platforms of political parties, and the course of administration up to that time, all united to sustain the theory that our Federal Union was a compact of confederation from which any State could peaceably withdraw.

When equal rights and equal privileges were denied to the South, an appeal to the court of last resort between sovereign States became absolutely necessary—an appeal to war—that tribunal of force whose judgment is final, whether just or otherwise. In its forum the States joined issue, and when its decree was found against the South we bowed to it as final, without consenting to it as just or righteous. Its irreversible result will not again be questioned, but is accepted with a solemn sense of duty, overcast with natural and unavoidable sorrow.

It now becomes our duty, as ex-Confederate soldiers, to maintain the Government with true faith, and defend the flag of our country with the same courage and devotion that we gave to our "little cross of St. Andrew."

That, Mr. Chairman, is the essence of the unvarnished story of the causes which led to our civil war. We take no exceptions to the sense of duty which impelled the people of the North to peril all of the Constitution, all of material wealth, and that wider wealth of individual life to maintain the union of States, for it but shows their love and deep devotion to the Union. The South proffers at the bar of history and in the forum of conscience a rectitude of motive and a warrant of law not less moral and righteous than all that animated the North.

Publicists may draw distinctions between just and unjust wars, but in civil conflicts for inalienable rights victory can not sanctify the wrong nor defeat invalidate the right. Our civil war established beyond controversy that the North was the stronger in all the materials of war and had vastly greater facilities for making them available, having, besides internal resources, the outside world to draw from; but beyond that human reason can draw no rightful conclusion, and the right or wrong is left to impartial history.

And, Mr. Chairman, I have not the least apprehension that impartial history will fail to recognize the justification of the South in the records of our country and find that, according to the faith that was in her people, and their judgment made up from that standpoint, there was no alternative left in 1861 but to appeal to arms; and I affirm, Mr. Chairman, with equal confidence, that any comparisons of the two sections, from the earliest times to the present day, will not find the South

to have been less patriotic or less solicitous for the honor, glory, and welfare of the Union.

* * * * * * *

BLESSING OF PEACE.

Among the thousands of blessings with which a kind Providence has crowned our country there is one which of all others we are prone least to appreciate—the blessing of peace. The pomp of war, its imposing spectacles, its glittering array, the measured tread of armed men, and the neigh of the war horse—"as he smelleth the battle from afar, and to the trumpet saith ha! ha!"—captivate the eye and intoxicate the senses, while the halo of military glory quenches the pulsation of humanity and veils from sight the widowed mother and the weeping orphan kneeling on the bloody hearthstone.

We men from yonder battlefields know what war is, and while holding ourselves ever ready to touch elbows in line of battle against foreign foes, our experience, our courage, and our patriotism warn us to "beware of entrance to a quarrel."

The blood and carnage of 1861–1865 should not be repeated. No thoughtful man, however, is free from grave apprehensions when he sees the ugly signs outcrop here and there and hang ominously over the destiny of our country. We even now see the faint yet vivid flashes and hear the thunder in the distance, and pray that the storm may pass harmless.

When the time comes, which we pray may never come, that calls our men to battle, the record of the past gives promise and assurance to the future that the descendants of the men who followed Bragg on yonder field will be as responsive to the call, as valiant in the fight, and as vigorous in the pursuit as the children of those who rallied under Rosecrans.

And should danger come, I believe the conservative South may yet prove to be the rod that will conduct the fiery bolt harmless to the earth, and when liberty takes her flight, if she ever should, from this country, her last resting place will be in our Constitution-loving and Constitution-defending South.

We of the South love our comrades with no less devotion; we see in them no less courage, honor, manliness, and patriotism than you recognize in your fellow-soldiers. To the men of the South their cause was not less holy, not less sacred, not less rightful than you esteem that for which your armies fought.

Col. James W. Blackmore, a life-long friend, leading lawyer and citizen of Gallatin, Tenn., in a recent letter to me says:

After the surrender of the Confederate army General BATE came home and found the property he owned had been attached for security debts, and he was left with but little to start on. But he went to Nashville and began the practice of law there, and soon won distinction in his profession and gained a remunerative practice.

After the civil war and for many years previous to his election as governor of Tennessee he practiced law in Nashville in partnership with Col. Frank E. Williams, a very able lawyer. He never practiced his profession after he was elected governor or to the United States Senate. He seemed to delight in giving his whole time to the public.

General BATE was a man in whom the people must have had and did have implicit confidence, for he was almost continuously filling, with or without compensation, some place of distinction and trust. He was a delegate to the Democratic national convention in 1868, some of his brother delegates being the late lamented John F. House, A. O. P. Nicholson, Thomas A. R. Nelson, and Nathan Bedford Forrest. Gen. W. B. BATE served as a member of the committee on organization, which made the Hon. Horatio Seymour president of the convention, and A. O. P. Nicholson vice-president, and Joseph H. Thompson secretary for the State of Tennessee. General BATE was also one of the committee to inform the nominees of their nomination.

Judge Nelson, for the Tennessee delegation, nominated Andrew Johnson for President, and for the first six ballots he received the full vote of this delegation and for several times thereafter.

As further evidence of General BATE's loyalty and sincere devotion to a reunited people, one country, and one flag, we have only to glance over the balloting of this historic convention and see the entire Tennessee delegation casting their vote for Franklin Pierce, George H. Pendleton, W. S. Hancock, Thomas A. Hendricks, and Horatio Seymour for the Presidential nomination, all of whom had opposed the cause of the Confederacy on the field of battle, in the forum, or on the stump. And this only three years after the smoke of battle had lifted from the stricken Southland.

On the twelfth ballot the first and only vote cast for George B. McClellan was given by Tennessee "midst cheers and great applause," the balance of the votes being divided between Johnson and Pendleton. On the thirteenth ballot the vote was unchanged, except one cast for Franklin Pierce. On the fourteenth ballot the vote was equally divided between Hancock and Pendleton. On the fifteenth it stood half for Johnson and half for Pendleton. On the sixteenth and seventeenth ballots the vote stood five and one-half for Johnson and the balance for Pendleton. But on the eighteenth, when "Tennessee" was called, the chairman of the delegation said:

The State of Tennessee, faithful to him who has ever been faithful to our country, casts her united vote for Andrew Johnson.

The only vote he received on this ballot.

On the nineteenth and twentieth ballots her ten votes were cast for Hancock amidst applause. On the twenty-first ballot, the vote stood five for Johnson, two and one-half for Hancock, one-half for Hendricks, one-half for McClellan, two and one-half not voting. On the twenty-second ballot, Tennessee cast three and one-half votes for Hancock, one and one-half for Hendricks, one for Seymour, and four for Johnson. On the first roll call Ohio cast twenty-one votes for Seymour, and Tennessee one; total, twenty-two. Before the balloting concluded, New Jersey, West Virginia, Alabama, Tennessee, Arkansas, Maine, and Georgia changed their votes to Seymour and he was nominated.

When nominations for Vice-President were presented and the name of Tennessee was called, the chairman of the Tennessee delegation said:

Mr. Chairman, it is the pleasure of the Tennessee delegation that the vote of the State of Tennessee shall be cast by a distinguished southern soldier, whom I have the honor to present to the convention—N. B. Forrest. [Great applause.]

Whereupon General Forrest said:

I have the pleasure, sir, to cast the vote of Tennessee for General Blair, and I wish to take this occasion to thank the delegates here for the kind and uniformly courteous treatment that the southern delegates have received at this convention. [Great cheering.]

This convention met July 4, 1868, and assembled at Tammany Hall.

For twelve years General BATE served as a member of the national Democratic executive committee.

In 1875 he was defeated for the United States Senate by a narrow margin. On one ballot he was elected by one vote, but by a change of one vote before the result could be announced there was a tie as against the combined vote of ex-President Andrew Johnson and Mr. Edwin H. Ewing. Finally Mr. Johnson was elected.

General BATE was elector for the State at large on the Tilden and Hendricks ticket, in 1876, and made a thorough canvass of the State. He always loyally supported the nominees of the Democratic party and its platforms. He was a "strict constructionist" of the old school, a States rights advocate of unsuspected fidelity.

I distinctly remember that during his first or second campaign—his second, I think—for governor, the Democratic platform indorsed and demanded the continuation of a railroad rate-fixing commission law, then unpopular. Throughout a laborous campaign General BATE stood squarely on this platform. It appeared for a little while as though he would be defeated because of his fixed determination to stand by this law and for his party platform.

About this time one of Tennessee's greatest sons, lawyers, public speakers, writers, and authors, Col. Arthur S. Colyar, said:

Scratch the platform and vote for the *man*.

This keen discrimination from such a high source rang throughout Tennessee and was on everyone's lips. But General BATE stuck to his party platform, was reelected, *a personal triumph*, for a legislature was at the same time selected which passed a bill to repeal this law, which met with a prompt and vigorous veto from Governor BATE, but the legislature nevertheless passed the bill over his veto.

The Hon. Park Marshall, State senator of Tennessee, and I think during the gubernatorial administration of General BATE and afterwards intimately associated with him in Washington City in a published letter briefly reviews General BATE's record as governor. After quoting General BATE's immortal telegram from Wartrace, July 17, 1863, already cited, declining the honor of a nomination for governor, Mr. Marshall says:

With his desperate wounds still unhealed, unable to move about except on crutches, WILLIAM B. BATE sent the above reply from the Confederate camp at Wartrace to the convention which virtually offered him the office of governor.

These words were not spoken in idleness, nor was that spirit that gave them utterance broken to the end of those days "that tried men's souls," even after other severe wounds had been received at Hoovers Gap and at Atlanta, nor after the marches and battles from Atlanta to Nashville and from Nashville to the end at Bentonville.

Many a man—and true man at that—would gladly, under the circumstances, have accepted the call of his State to the high and more secure office of governor and been held blameless.

Nineteen years later the people, under trying circumstances, again called upon W. B. BATE to take the office of governor. Now, the conditions had changed. General BATE had accepted the arbitrament of war, and was pursuing the practice of his profession, in which his success was very great. He had earned sufficient money with which to pay off $30,000 of antewar debts, and his income was much greater than the salary attached to the office of governor. Yet he accepted the nomination when his chances of election were extremely doubtful. Indeed, many of those who were considered the best judges were of the opinion that the probabilities were altogether against him and against any other man who should make the race. Democratic prospects were at the lowest ebb in the State, at which they have ever stood since 1863. It is clear that neither at this time nor in 1863 did General BATE reach a decision to promote his own comfort. Everyone must remember what a nightmare the State debt question was during the whole

period from 1870 up to 1883, how it arrayed neighbor against neighbor, smothered almost every other issue, and paralyzed the State, until finally it split the Democratic party in twain and in 1880 elected a Republican governor and State officials. In 1882 the split had shown no signs whatever of mending while the debt itself was growing apace. It was at this time that the Democratic party turned to General BATE, who did not seek the office, and appealed to him as a strong and suitable man to lead them. He accepted, out of a pure sense of public spirit, and such was the ability displayed by him in his debates on the stump and such the confidence he inspired that the people everywhere crowded together to hear him, and he was elected by 27,000 majority.

This was the manner of W. B. BATE's introduction to public position after the war, and it was the middle period, as it were, of a line of successes unequaled since the time of Andrew Jackson in this State. Before that he had been, at different times, a soldier in the Mexican war, a member of the legislature, district attorney-general, private, captain, major, colonel, brigadier-general, and major-general, successively, in the Confederate army, and for seventeen years a most successful lawyer; while, since 1882, he has been governor four years and United States Senator seventeen years, and no semblance of a taint has attached to him in any of these positions at any time.

But we are speaking of him especially in his relations to the office of governor. Here it may be remarked that a good object, only partially accomplished, may long be remembered with admiration, for the endeavor and regret for such failure as may be incident to it, whilst one, perfectly accomplished, may soon be forgotten as no longer demanding attention. Let not Senator BATE'S successes, though complete, be among those that are forgotten. He brought order out of fiscal chaos, perfect credit to his State, and lasting harmony to the Democratic party. Had he not done these things so well there might not now be so much reason for recalling them to memory. His was not a mere routine administration. All the chief acts of his administration are his and are strongly impressed with his personality and guiding hand. All of his appointments were recognized as being responsive to the paramount public interests, and consistently therewith, were chiefly given to the men who had "slept in the leaves with him."

His attention to the settlement of the State debt was assiduous and constant, the hour of midnight often finding him at his office in the capitol engaged in the work. He adopted a system of double checking to avoid errors. Every seal was impressed on every bond and every executive signature was written by his own hand. Not an error occurred throughout the whole transaction. The Bank of Tennessee money and the Torbett Issue were settled and refunded into certificates under his personal supervision and by his own hand. His administration was productive of perfect satisfaction to friends or foes alike, from a business standpoint at least. During the whole four years he had but one assistant in his office—the adjutant-general—who also acted as his private secretary, except that there was a very small appropriation for clerical assistance in each of his two terms, part of which, being unused, was turned back into the treasury. The committee of the legislature having the debt settlement in charge proposed to allow him compensation for the great extra labor to be imposed upon him, but this he positively declined to permit to be enacted into law, saying that his salary was fixed before his election, and he would not receive a dollar in addition thereto and did not do so.

Governor BATE fixed 30 cents on the hundred dollars as a fair rate of taxation—just to the taxpayer and at the same time sufficient to pay current expenses and interest on the State debt and have a surplus for emergencies and for the gradual reduction of the debt. This rate was found to be an eminently satisfactory one. With it he paid current expenses, paid the interest on the debt, paid the large costs of asylums built, and in addition paid off $596,000 of Bank of Tennessee money. His administration was in every detail eminently economical and wise, and is often spoken of, without disparaging others, as a model one.

With BATE'S administration, the amount of the debt having been fixed and settled, began the first really orderly system of taxation after the war, which has grown with the growth of population and prosperity since the debt was settled until the revenues, by steady annual growth and accretions, are now far greater than they then were, the growth in volume being steady and the amount of receipts for the year just passed, under Governor Frazier, being considerably greater than those for any previous year, while at the same time the expenses were practically the same as those of the several years immediately before.

So exemplary and satisfactory was the administration of Governor BATE the Democrats elected him to the United States Senate in 1887. He was reelected in 1893 and in 1899 and 1905, having taken his seat for the fourth time in that body March 4, just five days before his death.

His long service in the Senate appears in the official record, open to everyone. It speaks for itself, as his deeds always spoke for him, whether in peace or war. He was constant, intelligent, efficient, loyal, and patriotic. His devotion to duty, to that unusually high standard he set and maintained, was superb, and won for him the confidence and respect of his colleagues and the admiration and applause of the people of Tennessee regardless of party.

They well knew they could retire at any hour, day or night, and know that he would be found promptly at his post, ready to toe the mark. His private and public deeds are above suspicion; his record spotless. The old and young of this or any land can profitably read and study his history and emulate his illustrious example.

No private or public monument need be erected to his memory. His life, his teachings, his deeds, these, his self-erected monument, constructed day by day, will last as long as the human eye can read and unseared consciences shall dwell in the hearts of civilized man.

He was a tender and considerate husband and father. His devotion to his wife—"my cheerful companion and my faithful comforter, through war and peace, through weal and woe, through good and evil fortune"—was a beautiful and continuous courtship, so much so as to be often the subject of the happiest comment.

He was charitable without ostentation. He was a faithful church attendant.

Although his citizenship and home were in Nashville, a city studded with schools, colleges, and churches, he clung with filial devotion to his old homestead about Castalian Springs, some 40 miles from Nashville. A few years before his death he joined the Baptist Church, of which his mother had been a member, and in the same chapel in which she had worshiped down to her death, located near the scenes of his childhood. He wished to be and was baptized at the same place, in the same little stream in which his mother, years before, had been immersed. This was all done without the people of Nashville, a city of 150,000 people, knowing anything about it for some time afterwards. There were small and large Baptist churches in Nashville that were thoroughly religiously conducted, whose membership was composed of his intimate friends and comrades, to whom he was always devoted.

This unusual act must have been prompted by his devotion to that "spot of sunshine" where he was born and reared and reverence for mother, mother's church, and her old church house. He followed mother's example, stepped in mother's footprints down to the little stream and down into the very pool where she years before was baptized. All this, and the quiet, modest way in which he had it done, is, I believe, without precedent. Thus he paid homage at least to his mother, and exhibited unparalleled respect to this modest chapel, where perhaps he first heard mother lisp her prayers for husband, daughters, and sons; for country, God, and truth.

The plain and devout minister who received him into this church tenderly and with modest pride alluded to this incident in the religious exercises over the remains of Senator BATE, as they lay covered in a wilderness of flowers offered by the legislature of Tennessee and the people themselves from throughout his native State, who paid last and fitting respect to his memory in the house of representatives of the State of Tennessee, where fifty-six years before, in the splendor of his young manhood, he had served as one of their lawmakers.

His last and fatal illness was brought about from exposure in attending the inaugural ceremonies at the national capital, March 4, 1905. I personally warned him against going out in the severe cold that day, but he promptly replied, as he passed on out of the Chamber to the platform: "I think I should go, out of respect to the President. I think it is my duty, sir;" and continued forward with his brother Senators and listened throughout to the inaugural address of President Roosevelt.

He was soon stricken with a severe cold and died in less than five days thereafter. Thus we see this man did finally sacrifice his life in doing what he considered his full duty.

His mind was clear to the last. He fully realized that death was soon to close his earthly career, but he was ready. He was calm and met in his weakness his last enemy as he had met others in his strength, with clean hands, unflinching courage, clear conscience, and full of hope. With a few friends and his devoted wife about his bedside, he bade them a final adieu, and then thought of far away Tennessee and friends that had gone to their final rest, and said: "I am dying. When I am dead take me back to Tennessee and bury me at Mount Olivet among my friends."

This was done. In the family burying ground in that beautiful city of the dead, and, as it happened, in the shadow of the Confederate shaft, that silent witness of his heroic deeds and those of his Confederate comrades, his remains rest to await the resurrection morn. Repeating the words of one of his old comrades, Col. George B. Guild—

> The greensward of Mount Olivet will never hide a nobler, grander character than Senator WILLIAM B. BATE; the recital of his manly career as a public servant is an inspiration now and will be for coming years. Courtly gentleman, public-spirited citizen, brave soldier, farewell!

Mr. Speaker, in his death many an humble, plain man, woman, and child in Tennessee has lost a ready and generous sponsor; the State of Tennessee has lost one of its purest citizens and public servants; the Republic has lost one of its most capable and incorruptible Senators.

Mr. GROSVENOR. Mr. Speaker, Senator BATE was a typical southern man. He was a typical southern soldier. He was a typical southern politician. He was a Democrat of the old school; a Democrat who began his career and ended his career with knowledge and faith in the old time-honored principles of the Democratic party. He believed in those principles, and

could he have shaped the policy of his party it would have stood by Democratic principles. No false god could have allured him from the beaten pathway and the accepted time-honored principles of Democratic policy. I shall speak, however, little of his political views and more of his record as a soldier and his character as a patriot.

I read with some interest this morning a sketch of his life and public services furnished by a friend, and I find that he and I were close together during much of that momentous period covered by the civil war, not in sentiment, but in physical location, which lasted substantially during all of his great experience in the army—he in an important command and I in a very humble command.

It is said in this sketch that his first great battle was Corinth. I was not there. I was then beginning the experience which ripened into over four years of service in the Union Army, but General BATE had been a soldier in the Mexican war, and his career in the civil war illustrates the importance and value of service experience as a soldier, a value that can not be duplicated in any other way.

It does not appear that between the close of the Mexican war and the outbreak of the civil war General BATE had taken any interest or had any practical connection with military matters, and yet the limited service that he had in the Mexican war in the humble position which he occupied fitted him to at once assume prominence in the new conditions that surrounded him. And so, like many others, some of the volunteers, men without training at West Point, men without active service except this Mexican war experience, found themselves prominent and distinguished. It was well that we had those men. They rapidly transformed our bands of soldiers and artisans and clerks and students into trained and tried and efficient soldiers.

The State of Tennessee was peculiarly located with reference to the great events of the great war. Tennessee was already historically great. She had produced great men, great soldiers, and had written the name of the gallant "volunteer set" upon the historical records of her country, but in the civil war Tennessee was our pathway to the South. She occupied the great middle position between the Northeast and the Southwest and the South. Stragetically Tennessee was the pivot or central point from which radiated the great movements of the two great armies. Grant, coming up the Tennessee and Cumberland by way of Fort Henry, reached Pittsburg Landing and a column under Buell and Mitchell, striking Nashville and central Tennessee, and so it was that Tennessee became second only to Virginia as the great theater of the war. And here it was upon the soil of Tennessee that General BATE occupied a prominent position.

I shall not discuss in detail his merits as a soldier. They are sufficiently written in the official reports of the army to which he belonged. They are sufficiently written in the appreciation of his fellow-soldiers, and they are sufficiently written in the loyalty of Tennessee to the men who served under the very eye of the people of that great State. Tennessee was devastated by war. Columns of marching men sweeping across her rich fields and through her fair towns and cities left the impress of the devastation of war upon her. That she bore the affliction heroically and without a murmur is history. She was divided in sentiment, and much of loyalty and devotion to the old Union remained with her, and no truer men, no more self-sacrificing men, operated under the Stars and Stripes than the men of East Tennessee, who came gladly to the front and formed regiments and fought and bled and died and suffered the destruction incident to war, and suffered the destruction incident to internal strife among the people of the same State.

The sweep of the great armies first arriving at Nashville, moving by Murfreesboro to Huntsville, Ala., came back by Battle Creek and Manchester to Nashville, and thence by Stone River and thence by the Tullahoma campaign, and all the incidents of war along the Tennessee River ultimately and finally up to the carnage of Franklin and the great battle of Nashville. Surely Tennessee suffered, did not cry out, but stood stubbornly fighting to the end.

In both these great battles of Franklin and Nashville, General BATE was a prominent figure. He well might have been, for he was on the soil of his own State and fighting to reach his own home and fighting to make its victory for the cause in which he had embarked. It is said in the sketch to which I referred, that he was present and participated in the "mistake at Franklin." I am not here to discuss military strategy, but if there was a mistake made at the battle of Franklin by the Confederate troops, and I think there was a most serious mistake, it was not made by General BATE or any of the inferior officers of that immense column of active, vigilant, and wonderfully conspicuous soldiers. The result at Franklin, while it looked like victory for the Confederates, was in fact a movement which ultimately worked disaster, and under all ordinary circumstances the part of wisdom by the Confederates would have been to wait at Franklin, halt and consider, and ultimately abandon all the preconceived notion of Nashville. There was not one chance in a thousand that Nashville could be captured, and it has always seemed to me that the battle of Nashville, pressed upon us by the advancing column of Hood, was the greatest strain upon the soldiers of Tennessee of any of the other features of their campaign. The army of Hood had been turned aside from the general movement of the Confederate army at the same time that General Thomas had been located at Nashville. Everyone understood that the grand strategy of the armies involved a successful movement by way of Nashville by the Confederate army onward to the Ohio River. It was perfectly understood by all of us that if that great army should be unsuccessful at Franklin and Nashville, then they would be destroyed. They were without a sufficient supply of provisions; the country was absolutely bare of resources to aid them; they were poorly equipped in ammunition and tents and transportation.

Here was the flower of the Tennessee troops under Cheatham and a number of others whom I might name, and conspicuous among them General BATE. They made their appearance after the disaster at Franklin, for although the Union Army fell back with great loss and came to Nashville practically in retreat, yet the movement was perfectly understood to be a strategic movement to draw further away the badly crippled army of Hood to its ultimate destruction in front of Nashville. I think there was no greater demonstration of splendid heroism, of splendid self-sacrifice, than that exhibited by this army in its appearance before Nashville on the morning of the 19th day of December of that memorable year. To withdraw and go backward and recross Tennessee River to a place of temporary safety was defeat and destruction and substantial disgrace; to go forward was death and overthrow and glory. Once across, the suggestion of temporary safety; after across, the suggestion of honor and defeat. That they who commanded the awful onslaught upon our lines upon that memorable December morning had any hope of success is impossible of belief, but they chose the path of honor and glory rather than the path of temporary safety and futile hope of the future.

In Nashville was a vast body of military stores, sufficient to have supplied the army during the whole of the coming winter and spring and put them in a position to have marched easily and practically unobstructed to Louisville, for the defeat of the Union Army at Nashville and the forcing of it to retire would have been substantially the opening of a pathway to the Ohio River. Here, then, before them was the prospect of supplies, food to hungry men, clothes to suffering men in midwinter, and the homes of their families, for in the city of Nashville and its surroundings there lived many of the soldiers of Hood's army. So their struggle to get into and take possession of that great and beautiful city of their State was a struggle to save their army or failing lose their army.

So I say I think there was no greater demonstration of heroism than the terrific attack made by Hood and his columns upon the forts and places around Nashville on that occasion. That they should fail was absolutely inevitable. But men like BATE knew perfectly well that the end had come unless they were successful, and the terrific battle was the result of that mental condition of that splendid army. Of course when fate decided against them they were practically destroyed, and the things that were witnessed in the pursuit of Hood down by way of Franklin to the Tennessee River made an impression upon my mind that will never be obliterated. Hundreds of men were found marching in the slight snow and the pouring rain or standing by the roadside giving up, surrendering, not by order of their commanding officer, but surrendering through the force of actual military and physical necessity; standing there by the roadside we found them with empty haversacks. Now and then a Union soldier would step up to the dejected Confederates and running his hand into his haversack and that old-time question, "What have you got there, Johnny?" was answered by the exhibition of a few grains of parched corn. This was the army thus fed and thus clothed which undertook the desperate work of destroying Thomas's army and capturing Nashville.

There were scenes of fraternity and good will and benevolence enacted between the soldiers of the triumphant army of the Union and the dejected and suffering soldiers of the army of the Confederacy, and as we passed these lines of captured Confederates we were taught at that late period in the war that the real fighting men on both sides had great admiration for each other.

Notwithstanding, therefore, that I do not indorse the generalship of the battle of Franklin—surely not—I think there were no better soldiers in either army than the men under Hood who made the forlorn, hopeless assault upon our works at Nashville at the time I mention. The spirit of Cheatham and BATE and a score of others inspired the soldiers.

But let me pass on. General BATE was reconstructed, and I never heard anything upon the topic of the work of reconstruction and the new conditions from him until we met at the dedication of the great military park at Chattanooga—the Chickamauga National Park—and I there heard his splendid, comprehensive, eloquent oration. I believed then and I believe now that every word he said was sincere. I have only this one comment to make. It seems to me the conditions in this country have reached the point of time when it would be well for ex-Confederates and their representatives to cease saying upon every possible occasion that they believed then that they were right and they believe now they were right. This reiteration is not offensive to me, and if there was any practical good in it I would not comment upon it, but unfortunately no good can come of it. Does anyone doubt that men who fought four long years, left their homes, their wives and their children to suffer, witnessed the devastation of their country, the destruction of their property, the death upon the battlefield of scores and hundreds and thousands of their fellow-citizens, bearing in their own bodies the wounds of conflicts, believe that they were not sincere? Do men fight that sort of a war for glory? There was no such thing as conquest possible. Why did they fight? They fought in a mistaken opinion sternly believed in, faithfully adhered to, and why keep repeating it? It seems to me that it is unnecessary to give assurance that they were honest. Nobody doubts it.

It is not worth while to plead "not guilty" when there is no indictment. The world has settled that question. The world has looked on with wonder at the reuniting of the two great wings of this country, the North and the South. In 1890 I was a member of an official commission which was sent to Europe for certain purposes connected with the Chicago Exposition and with relation to the consular service in Europe. With a number of the members of that commission and another commission I had the honor to be present in the city of Berlin at a dinner given by the vice-chancellor of the German Empire. There were present on that occasion a colonel of the Confederate army, a major of the Confederate army, a captain of the Union Army, and myself, all members of the same commission and all bearing the appointment of the Government and all cooperating in the purpose of our mission. Caprivi, the then chancellor of the German Empire, the successor of Bismarck, himself a soldier of mighty renown, said to me that, in his opinion, the most wonderful feature of our situation and one that he could not understand was the presence upon that commission of men who had served on either side of the great war. He said that would not be tolerated in Europe—there would never be such a gathering as that. The men who rebelled, as he called it, and I call it—and I see no reason why to call it so should be offensive—would be relegated to eternal oblivion politically. He said to me, "Do you people over there treat these men just as well as you do your own comrades?" "Yes," I replied, "and sometimes, with a little touch of sympathy in our actions, a little better." He again assured me that it was the most wonderful thing he ever knew and that he could not understand it.

Another thing I wish to say: Why should not a man like BATE have been a member of the Senate of the United States as a representative of the great State of Tennessee? He had lived in the State and had fought for the State. He had made sacrifices. He had been shot and bruised, his property had been destroyed. His people sent him here, and under the Constitution they had a right to send him here, and their action was supreme and conclusive. No man can question it. Upon the broader plane of national politics, is it wise for the people of the South to constantly appear to recognize and constantly signify an admitted disability in the great political contest of the day of the men who fought on the Confederate side? Why should they, the people of the South, place conditions of discount upon the men who stood in the battle for them? Why limit the honors to be bestowed upon their fellow-citizens and the men who did not fight in the Confederate war? What is there in the view of the people of this country to-day that puts upon the southern man who fought in the army of the Confederacy a disability in any particular with relation to the action, history, and movements of the United States? When the President of the United States, and he has my approval—I have not had an opportunity to know who else approves it—when our President, a Republican, a northern man, writes such a letter as he wrote to the assembly last night, met in honor of the birthday of Gen. Robert E. Lee, the time has come when the South should quit apologizing or explaining or advertising disabilities and stand upon the front line of their political ideas, recognizing no disability, turning their backs upon the past, and hailing the present, and such a position would be the best vindication that the South could give to men like BATE.

Mr. CLARK of Missouri. Mr. Speaker, I am here to join in these proceedings for two reasons: 1. Because I knew and revered General BATE. 2. Because I know and love JOHN WESLEY GAINES, who so ably represents the Hermitage district. There are some men in this world from whom a request comes to me as a command. One of these is Brother GAINES.

The most pleasant feature of this solemn occasion is the speech of my venerable friend General GROSVENOR, of Ohio. I have heard him make divers speeches upon sundry subjects, but I have never heard him speak more interestingly or more sensibly than to-day. General GROSVENOR was a Union soldier and was no carpet knight. He rose from major to brigadier. Two years ago he and I debated at Nashville. One of the most fondly remembered days of my life was spent in company with him and Brother GAINES and certain eminent citizens of that city in going over the battlefield on which General GROSVENOR commanded a brigade holding one of the splendid turnpikes and on which General BATE, commanding a division of Confederates, was a conspicuous figure. During that day, to him full of heroic recollections, General GROSVENOR uttered no word touching the brave, ragged, and hungry Confederates who immortalized that field except in praise of their valor and in sympathy for their sufferings.

You and I, Mr. Speaker, and other men like us, too young to be soldiers in the war between the States, can never experience the sensation which Cæsar denominates gaudium certaminis, which a favorite English-speaking poet has translated into the famous couplet:

> The stern joy which warriors feel
> In foemen worthy of their steel.

No more can we understand the respect and kindness which the Union and the Confederate soldiers feel for each other—indeed, which they always felt for each other. The men who did the fighting never perpetuated the bitterness of the four years carnival of death. That was done by the stay-at-homes. But even they have ceased at last to stir up strife, and it is well.

Missouri is bound to Tennessee by strongest ties of filial affection. The greatest Missourian that ever lived—one of the really great statesmen of the Republic—Col. Thomas Hart Benton—though born in North Carolina, grew to manhood and began his high career at Franklin, Tenn. Many other distinguished Missourians, among them the famous Governor Joseph Wingate Folk, and several thousand of the sturdy citizens of that imperial Commonwealth, first looked upon this glorious world in Tennessee.

It is a well-known fact that immigration closely hugs parallels of latitude. North Carolinians settled Tennessee. Virginians settled Kentucky. North Carolinians and Tennesseans, Virginians and Kentuckians, together with the élite from every State and civilized country, settled Missouri originally and, to a large extent, Missourians have peopled the great West even to the golden shores of the peaceful ocean.

Pioneers leave their impress upon a State forever in a greater or less degree. If they are a virile race and immigration from stocks other than those from which they sprang does not pour in so as to greatly outnumber the descendants of the original settlers, then the characteristics of the pioneers always remain the dominant characteristics of that people—virtues, traits, habits, and even prejudices descending from generation to generation.

In no age, in no country, was there ever in any State a set of pioneers of higher qualities than the original settlers of Tennessee. Hers is heroic history from the time when William Bean built the first white man's cabin within her borders to the present hour. In all the elements of good citizenship they have had no superiors in the annals of the human race.

The roll call of her early soldiers and public men stirs the blood of a lover of his country even at this late day.

John Sevier, Isaac Shelby, Andrew Jackson, John Coffee, William Carroll, the Donelsons, the Robertsons, the Blounts, the Overtons, the McNairys, the Searcys, the Davidsons, the Hardemans, the Lewises, the Cookes, Sam Houston, Davy Crockett, Hugh L. White, Felix Grundy, the Roanes, the Bells, and the Bentons are names to conjure with—part of the priceless treasures of the State and of the Republic.

What American worthy of the name is not proud to claim as countrymen the Tennessee frontiersmen who, armed only with

squirrel rifles, utterly destroyed the gallant Ferguson and his trained veterans at Kings Mountain, thereby turning back the tide of invasion and starting Lord Cornwallis on his dismal and disastrous journey to Yorktown?

Who can read without increased pride in our country the thrilling story of the valor of the raw militiamen of Kentucky and Tennessee who, on January 8, 1815, converted Napoleon's quitclaim deed to us of the Louisiana Purchase into a general warranty deed whose validity no man may question?

From her entrance into the Union Tennessee has sent to the councils of the Republic strong, clean, admirable, high-minded men—

Men who their duties know,
But know their rights, and knowing, dare maintain.

She has given to the Republic three Presidents—Andrew Jackson, of heroic and blessed memory; James Knox Polk, to whose ability and achievements history has never done justice, and Andrew Johnson, to whose career history has done gross injustice. Only three States—Virginia, New York, and Ohio—have produced more Presidents.

Tennessee has also furnished her quota of Speakers of this House, Cabinet officers, ministers to foreign courts, and judges of the Supreme Court of the United States.

She has sent to our wars so many soldiers and of such splendid qualities that she has fairly won and proudly bears the title of "The old Volunteer State."

Were the Republic fighting for her life to-day, she would in proportion to population send into the ranks of war as many soldiers and as good ones as any other State in the Union.

When I first came to Congress, Tennessee's Senators were Isham G. Harris, czar of her fierce Democracy, and Gen. WILLIAM B. BATE, a soldier of two wars.

General BATE stood high as a lawyer. He held many minor civil offices; was twice governor of Tennessee; was elected to the United States Senate for four full terms, dying in the beginning of the fourth. In every position he held he discharged his duties with capacity, courage, industry, and fidelity. In politics he was a robust, patriotic partisan, and ever stood ready to both assert and defend the political faith in which he was born, in which he lived all his days, and in which he died.

In his youth he served in the Mexican war, being mustered out as a lieutenant.

In his prime during the war between the States he volunteered as a private and fought his way to the double stars of a major-general.

There is little doubt that his magnificent record as a soldier was the chief cause of his becoming governor and Senator. Carl Schurz in his Life of Henry Clay sagely remarks that the American voter likes the smell of gunpowder upon the garments of his Presidential candidate. He might have extended his dictum so as to include candidates for offices of all sorts and sizes.

General BATE was a fine sample of the American volunteer soldiery, upon which we have always chiefly relied, and upon which we will chiefly rely so long as the Republic endures; for our people without regard to political creed are opposed to a large standing army. In this country so few men desire to be soldiers that in times of peace it is difficult to keep the ranks of our small Army full; but under necessity every American citizen is a possible soldier, intelligent, patriotic, brave.

The greatest European commander since Napoleon was once asked if he had studied the campaigns and battles of our Union and Confederate armies during their titanic struggle. He answered that he had no time to waste studying the campaigns and battles of armed mobs. Perhaps if he had run up against the combined armies of Grant and Lee he would have modified that cavalier opinion very suddenly. I rejoice in the faith that the average American citizen rises equal to the duties of any position in which he finds himself, and I believe, furthermore, that when our great war closed there were marching in the ranks of the Union and Confederate armies, carrying muskets as privates, thousands of men who would have made capable colonels, brigadiers, or even major-generals if promoted on the instant.

Having fought all he could during the four awful years of fratricidal strife, General BATE quit fighting when peace was declared and courageously, resolutely, and intelligently bent his splendid energies to building up the waste places of the South. It is pleasant to remember that he lived long enough to see her rehabilitated and enjoying that great prosperity which is only a prophecy of her greater prosperity in the days to come, for no man saw with clearer vision that the development of the natural resources of the South is only in its beginning and will ere long make is the marvel of the world.

He was a modest, unassuming, Christian gentleman of the old school, justly proud of his career, both civil and military. His countrymen are proud of him and warmly cherish the memory of this veteran soldier and statesman.

Except for the local reference, the fine lines of good Sir Walter Scott are applicable to General BATE:

Soldier, rest! thy warfare o'er,
Sleep the sleep that knows not breaking!
Dream of battled fields no more,
Days of danger, nights of waking.
In our isle's enchanted hall,
Hands unseen thy couch are strewing,
Fairy strains of music fall,
Every sense in slumber dewing.
Soldier, rest! thy warfare o'er,
Dream of fighting fields no more;
Sleep the sleep that knows not breaking,
Morn of toil, nor night of waking,
No rude sound shall reach thine ear.

Armour's clang, or war-steed champing,
Trump nor pibroch summon here
Mustering clan, or squadron tramping.
Yet the lark's shrill fife may come,
At the daybreak from the fallow,
And the bittern sound his drum,
Booming from the sedgy shallow.
Ruder sounds shall none be near,
Guards nor warders challenge here.
Here's no war-steed's neigh and champing,
Shouting clans or squadrons stamping.

Mr. RICHARDSON of Alabama. Mr. Speaker, I believe that it can be truthfully said that Senator WILLIAM B. BATE will be classed by his countrymen with the highest type of American manhood and true citizenship. That tribute he justly earned in the walks of his private and public life. In the varied and multiplied duties devolving upon him from the time he entered as a private soldier in the war with Mexico to the hour that his life went out in this city, on the 9th day of March, 1905, the guiding and controlling principle of his life was devotion to duty. During that long period of more than sixty years the people among whom he was born and reared again and again conferred upon him the highest civic honors within their gift. When the dark clouds of reconstruction were lifting and passing away, the people of the great State of Tennessee by common consent turned to him to bear their banner for the great office of the governor of his State. It was a time when a strong, honest, and brave man was needed at the helm. He triumphed, as he deserved to do, and his wise, able, and honest administration of that high and honorable trust stands memorable in the annals of his State.

His administration was characterized in every official policy and act by the unmistakable, living, and ever-present individuality of the man. As a member of the United States Senate, Senator BATE stood with the foremost for purity of character, the maintenance of public and official honesty, and unfaltering frankness in the expression of his honest convictions. Upon great public questions that he had studied and investigated no sentimental policy could influence him to refrain from expressing his honest opinions. He loved the truth, and his very nature revolted at evasion, deceit, and hypocrisy, coming from whatever source it might. Like all strong, broad, and able men, Senator BATE was patient and tolerant of the views differing from his, and in his intercourse with his fellow-men was ever courteous, refined, and gentle.

Mr. Speaker, others better informed than I am will speak to-day on the career and life of Senator BATE as a citizen, his ability in the legislative and executive positions that he filled; but it is his record, his character, his life as a Confederate solder that equally challenges love and admiration, and about which I desire chiefly to speak.

I do not hesitate, Mr. Speaker, to say that midst the hosts of honored, noble, and illustrious men who led our southern armies in the great civil war none were more devoted in heart, mind, soul, and body to the cause of the South than was General WILLIAM B. BATE. In the early days of 1861, when the ominous mutterings of the fearful struggle that was soon to follow between the sections of the South and the North were heard, he promptly offered his services to his people, the people among whom he had been born and reared, the South that he loved, and entered the Confederate army as a private.

Without the aid of official help, but depending alone upon his courage, splendid judgment, and sagacity of leadership on the field of battle, he rose rapidly from the ranks to the high position of major-general of volunteers. He bore a conspicuous and honored part in all of our great battles under Albert Sidney Johnston, Hood, Bragg, and Joseph E. Johnston.

He was the companion and close friend of the immortal Pat Cleburne. When the future historian, who has yet to write a true history of our great civil war, and give credit to whom credit belongs, and paint in living words the honor, glory, and

courage of the brave men who wore the gray and the blue, he will pause, then rest, when he traces the immortal trail of death—the march of BATE'S Tennessee regiment—as it surged and reeled around the fire-crested summit of Snodgrass Hill, on the river of death, Chickamauga, leaving more than 67 per cent of men dead and dying on the field. Such dauntless courage, such reckless disregard of death, such willingness to give life for country, was never surpassed on any battlefield. I can not, Mr. Speaker, on an occasion like this, follow this great man in all the walks of his noble life—soldier, statesman, and patriot—but it is sufficient to say, in part memory of his matchless career in the army of the South, that in the last dying battle of the Confederacy, animated by the same unquenchable spirit of love and patriotism for the cause of the South that led him to volunteer in the earliest days of the war, General BATE, wounded, and with his crutch in his hand, led the last charge on the enemy's lines at Bentonville, N. C.

Truly can it be said of him, Mr. Speaker, that he greeted the first bright cheering rays of the rising sun of the Confederacy, and after four long, bloody, and dark years, the lingering rays of that setting sun played mournfully upon him and his brave men as they made the last charge on the enemy's line.

Is it any wonder that such a record, such an inspiring and ennobling career, should call for the deep love of his Confederate comrades who linger behind him and cause them to speak of him in the highest terms of praise?

Mr. Speaker, it rarely occurs in the life of a man that one incident, one event, unfolds his character in vivid and living colors. In the early part of our civil war a great convention was assembled at Nashville, Tenn., and after thoughful and patriotic consideration a call was made on General BATE to leave the field, come home, and accept the office of the governor of his State. The spirit that gave utterance to his reply ranks him as a patriot whose name ought never to die. Said he:

> As a son of Tennessee and a southern soldier, I would feel dishonored in this hour of trial to quit the field. * * * I had rather, amid her misfortunes, be the defender than to be the governor of Tennessee.

Such sentiments could only emanate from the heart of a man noble and grand in the image of his maker. The world has ever bestowed its choicest wreaths of honor and glory upon the patriot soldier.

The man who turns his back upon a high, glittering, and inviting civic honor, preferring hardships of camp life and the carnage of the battle, to stand with his country in her misfortunes, is the noblest type of God's creation, and deserves the praise of his fellow-men.

While it is true that General BATE won the highest honors and on several occasions received the commendation of his superior officers for gallantry on the field of battle, it is also true that his example on his return home, under the shadows of defeat, deserve as much praise as when he fearlessly led his brave men into the jaws of death. Midst his stricken, disheartened, impoverished people he stood as a tower of strength. The devastation, the gloom, and the sorrow that greeted him from all sides, the cruelty and oppression that marked the days of reconstruction in the South, never dismayed or subdued his proud spirit. He had fought a good fight for a cause he loved, and in her ruins and ashes the South was dearer to his heart than in its days of glory, wealth, and power.

Repining over that which was lost was no part of his nature. To meet and prepare for the future of the South, to restore order, law, and peace where lawlessness prevailed, to weld again the broken links of the Union, and to restore the government of Tennessee and the States of the South to the hands of its white people was the great ambition of his life. In this noble work he steadily labored, and his people followed him as a trusted and wise leader. Such an example from such a man, under conditions existing at that time, can not now be estimated or understood as to its real value except by those who passed through the reign of terror that swept the South in the days of reconstruction.

I do not hesitate to say that it was the example and wise counsel of such southern leaders as General BATE that stimulated and encouraged the brave and matchless soldiers of the South, who surrendered their flag under the orders of their great commanders—General Lee, at Appomattox, and General Johnson, at Bentonville—to submit peacefully to the wicked and studied usurpations and cruelties of the "Freedmen's Bureau" and the pillaging army followers, and gave their hearts and hands to the restoration of the Union.

A great and difficult work was before these brave men, and nobly and grandly have they accomplished it.

It should be a profound satisfaction to the friends and admirers of this true and beloved son of the South that God spared his life long enough for him to realize that kind, cordial, and friendly relations between the States of the North and the South for which he had so unselfishly and patriotically labored by precept and example had been fully restored, and that he died a citizen of a highly prosperous and reunited country.

Quite fifty years ago General BATE led to the marriage altar in my home town, the city of Huntsville, Ala., Miss Julia Peete, one of the most accomplished and charming daughters of the South. Reared midst the endearing associations of culture, refinement, and hospitality of a typical southern home before the war, this noble woman crowned and blessed her chivalrous husband and her home with a purity and tenderness of love and devotion that makes home the hallowed altar of domestic happiness, love, and peace.

The people that I have the honor to represent on this floor—embracing the Valley of the Tennessee—have watched and followed General BATE with pride in his distinguished and honored career. We have rejoiced in his victories, and his death brought sorrow to our hearts and tears to our eyes. View him, Mr. Speaker, as we may, in either of the walks of life—civil or military—in peace or in war, in victory or in defeat, as a Senator of the United States or as the chief executive of his State, we find in Senator WILLIAM B. BATE an unfaltering devotion to his convictions of duty, a quiet and submissive endurance under the trials of adversity—brave and tender—a character for purity and honesty untouched by the taint of suspicion, which entitles his memory to be held dear in the hearts of his countrymen.

Mr. JAMES. Mr. Speaker, we are told that the true measurement of the giant oak can be best taken when it is down. So it is with the life of a great man. In the presence of death all men are impartial; then envy has no hope to actuate it; malice has no motive to inspire it; ambition sees no genius in its path; history then becomes the unbiased witness. Judged by every standard, whether in the full glow of political life or at the journey's end, Senator WILLIAM B. BATE has performed with marked ability in every position to which he has been chosen.

General WILLIAM B. BATE was four times elected to the Senate from the State of Tennessee, and after having just entered upon his fourth term, on March 9, 1905, he was called to his last reward. Seventy-nine years of age, having served his country faithfully, and having distinguished himself in peace and in war, he laid down his burden with a name as spotless as his service had been. He typified in character, in courage, and in chivalry the Old South. He believed the Union was made up of equal States with equal rights, and that those rights which were not plainly and specially given by the Constitution to the Union were specially reserved to the States. He was a lover of local self-government. He believed truly that the government governed best that governed least. He had confidence in the wisdom of the people; he did not believe in power being placed in a few hands, and he believed, too, that government amongst men derived its just powers from the consent of the governed, and therefore he opposed to his uttermost imperialism, whether it was the imperialism of England over the Boers, or whether it was the imperialism of America over the Philippines. He would raise in front of the marching army of either the declaration that governments can exist among men only by the consent of the governed. He was a Democrat in the true meaning of that term, loyal always to his party nominee and faithful to its platform declarations. His whole official life was an exemplification of true Democracy. Tennessee has furnished many great men to the Republic. It furnished Jackson, who drove the Biddles out of power, who led the triumphant armies at New Orleans; furnished Polk, who defeated Clay; furnished Andrew Johnson, who succeeded to the Presidency upon the death of Lincoln. General BATE had the courage of Jackson, the brilliancy of Polk, and the adroitness of Johnson. Tennessee and the Republic may say of him that indeed "Ulysses has gone and left none behind him strong enough to bend his bow."

General BATE was a Confederate soldier, and whether at Chickamauga or Snodgrass Hill or at Missionary Ridge, commanding Breckinridge's old division, or at bloody Shiloh, he was the same dashing, courageous soldier. In the last-named battle he was wounded, but holding to his crutch and forgetting his pain in the glory of battle, he rode up and down the line cheering the boys in gray. Fighting with that vast army of courageous southerners for the Constitution as the fathers taught it to them, he exhibited a courage and daring that finds no counterpart in the history of the world's wars. No panegyric pronounced by me could add to the glorious history of this devoted army in conflict for courage, for if all that constitutes that term in our language should be lost, the name of the Confederate soldier would stand for it all.

Scarred by the battles of the civil war, wounded by the bullets of the enemy, with a broken heart and almost broken hopes, General BATE laid down the flag of the Confederacy and took up the Stars and Stripes and yielded to none in his loyalty to his Republic's flag. He folded the conquered banner, with its myriad recollections, with his manifold love, stained with his blood and consecrated with his tears, and laid it to rest. And then he turned his face to the stars upon his own, his country's flag, and knew nothing but devotion for it. Those who fought with him, who loved and followed him, are being swiftly gathered to the home to which he was called. When Tennessee called him to be governor during the conflict between the States, by the army camp fire he read her call, amid the roar of the cannon and the scream of the shells and the gleam of the bayonet. He said to his State that as much as he loved her and the great honor of presiding as her chief executive, his heart was with the boys in gray, and he refused to forsake what he thought was his duty to those around the camp fire while danger everywhere lurked about him. This is but an exemplification of the history and life of the man.

And what shall I say of Tennessee, the dear old Volunteer State? How sweet of her people that in the old age of General BATE she refused to retire him to private life, but almost at the end of life's journey his people reelected him, and the last delectable words which touched his ears were those of Tennessee's loyal sons, saying, "Well done, thou good and faithful servant."

He read by the last rays of life's setting sun another commission from his people. What consolation it must have been to this faithful old soldier, statesman, and patriot that Tennessee refused to drive him out into the night and storm in his old age. In all his service in public life the bony finger of suspicion never was pointed to him. In his life we may see exemplified the statement of the Good Book, which tells us that "a good name is rather to be chosen than great riches, and loving favor rather than silver or gold." He was rich in a good name, poor in worldly goods, yet he left behind him a career in public life that will shine like a column of light through the darkness of corruption and of avarice as a guide to the feet of the faithful.

Truly it may be said of him that—

> He was a friend of truth, of soul sincere,
> In action faithful, in honor clear,
> Who broke no promises, served no private ends,
> Sought no titles, and forsook no friends.

Mr. BROWNLOW. Mr. Speaker, Tennessee has made more history than any State in the Republic, except Massachusetts and Virginia. In proportion to its population it did more on the field of battle to secure the independence of the United States than did any of the thirteen colonies, as Bancroft says substantially in his description of the battle of Kings Mountain. In our "second war of independence" it was the militia of Tennessee under its own incomparable Jackson, whose immortal victory at New Orleans shed imperishable glory on his State and country and led the conqueror of Napoleon to exclaim that "Andrew Jackson was the only really great general the United States had produced." In 1846, when the Secretary of War, William L. Marcy, called upon Governor Aaron V. Brown, of my State, for three regiments, its quota of troops, the governor responded tendering thirty-six regiments, to which the Secretary replied that "Tennessee would not be permitted to furnish the entire army for the war with Mexico."

In our deplorable civil war Tennessee exhibited its martial spirit by furnishing its full quota of soldiers to both armies, and better soldiers the world never saw. If those of the Union Army were more successful in achievement, it was because of the superb leadership of that Army's greatest generals—Grant, Thomas, and Sherman. If Tennessee's Confederate soldiers were less successful in battle than were their comrades of the Army of Northern Virginia, it was not because they were inferior in any respect, but because it was not their fortune to have Lee, Jackson, Longstreet, and Gordon for leaders, while it was their misfortune to have an obstinate President take from them a very great commander whom they all justly idolized—Joseph E. Johnston—and put upon them as commanders Bragg and Hood, whom President Davis made generals, instead of giving them commanders whom God Almighty had made generals.

And yet, Mr. Speaker, such was the determined courage of Tennessee's Confederate soldiers and those of her sister States of the South that at Chickamauga the percentage of killed and wounded of both Union and Confederate armies was greater than was that of any battle of the civil war, despite the fact that the heroic men of the Confederate army had no confidence in the ability for leadership of their commander in chief. The eagerness and unanimity of Tennesseans in responding to the call to arms have given to their State the sobriquet of "The Volunteer State of the Union," to which my distinguished soldier friend from Ohio, General GROSVENOR, has appropriately added that of "The Battle State of the Union," more decisive battles of the civil war having been fought within its borders than in any other State.

That a man should have as a soldier excited the admiration and won the hearts of a people of such martial spirit as those of Tennessee, of a State which has given to the country such heroes as Sevier, Jackson, Gaines, Farragut, and Forrest and the winners of Texan independence, Houston and Crockett, is of itself the highest attestation of his merit. This the late Senator WILLIAM B. BATE did. To my colleagues who were of the political school of the lamented Senator I leave the task of reciting the events of his brilliant military career, confining myself to the simple statement that, enlisting as a private soldier in the Confederate army, he came out of the war a major-general, and that when the battle of Chickamauga opened he was on crutches from a serious wound; that despite this wound, which relieved him from all obligation to engage in that battle and which disabled him from mounting his horse without assistance, he gallantly led his division in the thickest of the combat, in which he had three horses shot under him and in which more men were killed and wounded than in any other command of equal number.

Of the 120,000 gallant men of the Confederate army from Tennessee, the only one whose career was more brilliant than that of General BATE was that of "the wizard of the saddle," Lieut. Gen. N. B. Forrest, who never had a superior as a cavalry commander and few equals. Of each it may appropriately be said, as it was of Robert Clive, the conqueror of British India, by Prime Minister Pitt, "he was a heaven-born general."

That General BATE should have had so strong a hold on the affection of such a people as those of Tennessee, with such a record as a soldier, is not surprising. Immediately after the great victory of New Orleans, Thomas H. Benton predicted that Andrew Jackson would be elected President, for the reason, he said, that "the majority of the American people love the man who has the smell of gunpowder on his garments;" and to the people of no State is this remark more applicable than to those of Tennessee. That General BATE should have commanded more of the admiration of the people of his State than did his comrade in arms, General Forrest, is because his civic virtues were worthy of his soldierly.

The political school of Hamilton and of "Light Horse" Harry Lee, in which I was educated, inculcated other doctrines than those held by General BATE, and these arrayed me not only in the ranks of his political opponents, but in those of my countrymen who opposed the cause he so heroically upheld in our civil war. As a Republican, I speak of him as a Democrat of the Calhoun State rights school in deserved honor with that school of his party who freely shed his blood in proof of the sincerity of his convictions, and as a Confederate soldier whose fame was fairly won and has become an imperishable chapter in the annals of the great Commonwealth whose commission as a Senator of the United States he would have borne for a longer period than did any of his predecessors had not death, unfortunately, terminated that career before the expiration of the term to which he had just been elected by an almost unanimous vote.

But the splendid record of General BATE as a leader of men on the field of battle was not his only title to the respect and admiration of the people of "The Volunteer State." His personal and civic virtues were worthy of his skill and courage as a soldier. Of ardent temperament, indomitable will, and zealous partisanship, he was possessed of the prejudices and virtues which necessarily attach to such natures, but he was capable of subordinating these to his inflexible sense of honor and justice. When his party divided in 1880 on the question of the payment in full of Tennessee's debt, General BATE supported the candidate of that wing of his party for governor—Hon. John V. Wright—who favored preserving the credit of the State. Later during the four years he was governor he impartially and sternly enforced the laws and witheringly rebuked the men who dared appeal to him on the plea of party service or the social connections of the parties to remit the penalties imposed by the courts on the cowardly miscreants who carried concealed weapons which they murderously used in violation of law.

One of the most creditable features of his long and honorable life was his opposition to the corrupt machine of his own party in Tennessee, which, years ago, enacted an infamous election law for the express purpose of leaving nothing to chance of making fraud easy at the polls. The evil consequences of that infamous law were predicted by General BATE, and his predictions have been so completely verified that no Democrat in the State who pretends to be honest will justify

the wholesale frauds on the ballot which have been the invariable concomitant of every election which has been held under its nefarious provisions. To the credit of all the leading and influential Democratic newspapers of Tennessee it may be said that they denounce this infamously corrupt statute and demand its repeal. This corrupt statute was condemned by Senator BATE, who would sooner have been defeated for reelection to the Senate than to have owed his success to the stuffing of a ballot box or the forging of an election return, and his triumphant reelection the last time was achieved over the opposition of the political pirates who secured the passage of the law. Retribution has overtaken some of the authors and instigators of this iniquitous legislation, and the signs of the times indicate that it will overtake others of them as soon as a deceived and outraged people have the opportunity to put the seal of their condemnation upon them.

Mr. Speaker, death has stricken from the roll of the Senate the name of an incorruptible legislator. His remains lie buried under the soil of the State which delighted to honor him for more than a quarter of a century. His record as soldier and statesman is finished. We turn for a few hours from the discharge of our ordinary duties to pay this last sad tribute to his memory. He was plain and simple in his manners and tastes. In the family, a model son, husband, father, and brother. In the walks of private life, an ideal citizen. In his religious views, he was strongly attached to the Baptist faith, and of that great church which has done so much for the development, civilization, and Christianization of Tennessee he was a consistent, worthy member. He was absolutely devoid of duplicity; he always spoke the truth; he was an honest man. So thoroughly was his reputation in that regard established that where he was best known his bitterest enemy would not dare insinuate that he had ever been guilty of hypocrisy or falsehood in public or private life or of fraud in any business transaction. He was firmly of the opinion that personal integrity and political dishonesty are absolutely irreconcilable in the same person, and on this conviction he acted throughout his career, as William H. Seward said John Quincy Adams had.

Mr. Speaker, the qualities which I have ascribed to General BATE may well be emulated by some of his contemporaries upon whom accident or an inscrutable Providence has devolved the responsibilities of high official station. Upon many of them more brilliant gifts have been bestowed. But not of all of them can it be said, as of WILLIAM B. BATE, he was truthful, he was honest, he was incorruptible. These are traits which Tennessee has always honored in any American statesman, and as a tribute to them, as developed in her soldier Senator, she now lays the garlands of her love upon his tomb.

No Sybarite can win the praise
Or laurel wreath of story;
No calm, but storms for all who climb
The stern Mont Blanc of glory.

Mr. STANLEY. Mr. Speaker, it is with unfeigned diffidence that I offer here, in the midst of these able and elaborately prepared addresses, a spontaneous and almost extempore tribute to that soldier and statesman, WILLIAM B. BATE.

The passing of this gallant and chivalrous scion of the South calls to my mind a scene in which there is strangely mingled the elements of pathos and sublimity. A few more days and the last sentinel will for the first time have fallen asleep at his post, and the last heroic defender of the lost cause will have joined his companions upon the other shore. We see the last line broken and shattered, as they pass silently and swiftly westward, one by one. Transfigured in the "golden lightning of the sunken sun," outlined in distinct silhouette against the many-hued splendors of a day that is done, they rise before us gray and grand, the rear guard of the most gallant band that ever careered o'er field of carnage or of glory. To-morrow we shall truly say:

On Fame's eternal camping-ground
Their silent tents are spread,
And Glory guards with solemn round
The bivouac of the dead.

What men they were—these protectors of the homes, these fine exemplars of the chivalry of the South, with their high aspirations and modest mien—strange mingling of strength and tenderness, of courage and of courtesy.

It is of BATE, the soldier, I would speak, of BATE, the inspiring and perfect exemplar of the highest civilization, not of the South only, but of the race.

We hear much of the provincialism of the South, of a civilization characteristic of and peculiar to those antebellum days. We speak of it with reverence, yet we treat it as a memory. What were the distinctive and distinguishing elements of that civilization of which BATE was so peculiarly the embodiment? In what is it different from to-day? Where is the line, if line there be, between the old South and the new? Is it true that we have lost something, that we have left something far behind us? Is it true that these strangely gracious, knightly, courteous soldiers as they pass from the scene of action will leave no type or trace behind? If true, it is the saddest commentary upon the decadence not of the South only, but of the race. What were the characteristics, what the thought and purpose of that life, which pulsated in every fiber of this dead soldier's being? Dauntless courage, a devotion to duty so serious and sacred that it was a religion, a high and changeless reverence for woman, an idolatrous love of truth. These virtues marked the southern man, inspired the southern soldier, and sanctified southern life. Were they peculiar to that section south of Mason and Dixon's line? Was this their glorious provincialism confined to a brief era and a circumscribed section? Nay, verily! The deep rooting of these fine sentiments was not a growth—it was a heritage. It was the evidence not of sectionalism, not of provincialism, but of eternal conservatism. If the South differed from other sections, it was because other sections had departed from the most precious inheritance of their fathers, had retrograded, not they. If the South was broader, more liberal, or more generous than her neighbors, it was because others had allowed their souls to be cramped in the narrow channels of fanaticism or of greed. Older than its civilization or its faith, these ideals run like a silver thread through all the history of the Saxon race, and when history is lost in the twilight of time, they illumine the traditions of the rugged worshipers of Thor and Woden in the wilds of Sleswick and Friesland.

Tacitus, who alone among the ancient historians had a close personal knowledge of the manners and customs of the Saxons in their so-called "barbarism," declared:

The generals are chosen for their valor * * *. They command more by warlike example than by their authority. To be a prompt and daring spirit in battle and to attack in front of the lines is the popular character of a chieftain. When admired for his bravery he is sure to be obeyed.

Those lines, written in the presence of the Saxon warrior and describing a civilization, if civilization I may call it, fifteen hundred years older than this, might be appropriately applied to that gentle, firm, courageous hero, Robert E. Lee, whose memory we commemorated but yesterday, who in camp was the beloved companion and comforter of his devoted followers, and in the dread hour of battle inspired them like a god.

In the heat of the engagement—

says Tacitus—

the Saxon warrior hears the shrieks of his wife and the cries of his children. These are the darling witnesses of his conduct, the applauders of his valor, at once beloved and valued.

And how well his wild consort deserved his devotion and inspired his courage.

With one husband, as with one life, one mind, one body, every woman is satisfied; in him her happiness is centered; her desires extend no further, and the principle is not only affection for the husband's person, but reverence for the married state.

Ah, it was no new thing, this mixture of strength and tenderness, love and valor. In the midst of his wild environment, shut out in the darkness and in the fog, from the presence of his God, he worshiped truth as a divinity and woman as a goddess.

Taine, a Frenchman, pays this unwilling tribute to the Scandinavian savage:

Through all outbreaks of primitive brutality gleams obscurely the grand idea of duty, which is the self-constraint exercised in view of some noble end. Marriage was pure amongst them, chastity instinctive. Amongst the Saxons the adulterer was punished by death; the adulteress was obliged to hang herself, or was stabbed by the knives of her companions. The wives of the Cimbrians, when they could not obtain from Marius assurance of their chastity, slew themselves with their own hands. They thought there was something sacred in a woman; they married but one, and kept faith with her. In fifteen centuries the idea of marriage is unchanged amongst them. The wife, on entering her husband's home, is aware that she gives herself altogether, "that she will have but one body, one life with him; that she will have no thought, no desire, beyond; that she will be the companion of his perils and labors; that she will suffer and dare as much as he, both in peace and war." And he, like her, knows that he gives himself. Having chosen his chief, he forgets himself in him, assigns to him his own glory, serves him to the death. "He is infamous as long as he lives who returns from the field of battle without his chief." It was on this voluntary subordination that feudal society was based. Man, in this race, can accept a superior, can be capable of devotion and respect. Thrown back upon himself by the gloom and severity of his climate, he has discovered moral beauty, while others discover sensuous beauty. This kind of naked brute, who lies all day by his fireside, sluggish and dirty, always eating and drinking, whose rusty faculties can not follow the clear and fine outlines of poetic forms, catches a glimpse of the sublime in his troubled dreams. He does not see it, but simply feels it; his religion is already within. * * * His gods are not inclosed in walls; he has no idols. What he designates by divine names is something invisible and grand, which floats through nature and is conceived beyond na-

ture, a mysterious infinity which the sense can not touch, but which "reverence alone can appreciate;" and when, later on, the legends define and alter this vague divination of natural powers, an idea remains at the bottom of this chaos of giant dreams—that the world is a warfare, and heroism the greatest excellence.

Upon that rude base, rugged, sublime, and eternal, mediæval chivalry was planted and to it, as to the Rock of Ages, the thought, the aspirations, and the life of the South were anchored. Chivalry was its natural result. It was the flower of which those simple principles were the root. Civilization and religion brought refinement and culture—brought the sweet amenities of life—broadened, sanctified, and ennobled the severe fiber of the Saxon chief. Follow him through time, see him clad in the gay garments of the cavalier, decked in plumes, splendid in court and camp, the Sidneys, the Raleighs, the Ruperts still retain beneath the gay exterior of a knight-errant the stern virtues of the Scandinavian warrior.

There never was a time in the history of the Anglo-Saxon race, from the invasion of Great Britain until the settlement of Virginia, that its highest thought, its holiest customs, its grandest endeavor were not inspired by those same sentiments which we designate "southern chivalry."

It was not persecution nor greed for gold that tempted the first settlers of Virginia and the Carolinas to brave the terrors and dangers of a trackless and unexplored ocean, or to endure the hardships and face the perils of the wilderness and the savage. They were filled with the spirit of high adventure; they were the lineal sons of the Norse kings, "who had never slept under the smoky rafters of a roof; who had never drained the ale horn by an inhabitated hearth;" who laughed at wind and storm and sang:

The blast of the tempest aids our oars; the bellowing of Heaven, the howling of the thunder, hurt us not; the hurricane is our servant and drives us whither we wish to go.

They carried the banners of heraldry and the scepter of power, planted them upon the smoky tops of the Blue Ridge, and bore them across the fertile fields of Kentucky and Tennessee and the undulating, far-stretching plains of the West, till at last they were mirrored in the Father of Waters and the placid bosom of the Lakes.

They multiplied in numbers, grew in prosperity and wealth, and in a higher and finer civilization. In their hour of ease and culture they were the exquisite models of "that generous loyalty to rank and sex, that proud submission, that dignified obedience, that subordination of the heart which kept alive, even in servitude itself, the spirit of an exalted freedom. The unbought grace of life, the cheap defense of nations, the nurse of manly sentiment and heroic enterprise. * * * That sensibility of principle, that chastity of honor, which felt a stain like a wound, which inspired courage whilst it mitigated ferocity, which ennobled whatever it touched, and under which vice itself lost half of its evil by losing all of its grossness."

But they were never enervated by ease nor softened by civilization; they never deviated a hair's breadth from the rigid rectitude of their fathers; their sons preserved a changeless fidelity to duty, and their daughters a chastity as immaculate as the snows upon the mountain peaks.

As illustrative of this fine idea of duty which ran in sunlight and shadow through all the life of WILLIAM BATE, and, as illustrative of its hold upon the race, I would recount a touching incident told of the battle of Cressy. It is said that when the gay and festive chivalry of France had dashed themselves to pieces against the fixed and immovable English columns, when the mailed hand of Edward III had crushed into the mire and blood of the ensanguined field the fleur de lis of France, then the blind King of Bohemia, unwilling to hear the death groans of his friends, unwilling to listen to the wail of disaster and defeat, unwilling to survive his companions, had his horse bound fast and tight to a charger upon either side, and between his trusty courtiers, guided by the turmoil and thunder of the fight, dashed to death. When night came and the pale moon looked down upon 30,000 slain, they found three horses standing like silent sentinels and three dead riders at their feet, and between his companions, with the seal of death upon his blind eyes, lay the brave old King of Bohemia.

A white triplumed crest dappled in blood still clung to his dauntless brow, and on it was inscribed the simple motto "Ich dien"—I serve. It thrilled five centuries of English history past and rang through a thousand years of civilization yet to come. The most martial of England's kings reverently lifted that simple crest and placed it, as a deathless laurel, upon the brow of his first-born son; and to-day, more precious than all the trophies wrung from Poictiers, Agincourt, or Waterloo, high above all the bloody swords and battered shields and tattered banners taken in a thousand years of conquest, that has girded the earth and mastered the sea, old England still holds aloft that triplumed crest as the proud insignia of all her princes yet unborn and all her uncrowned kings.

I could write upon the tomb of WILLIAM B. BATE, with truth and with sincerity, the motto of the Prince of Wales and the dead Bohemian king—I serve. One single incident in his life portrays in rare and radiant colors his flawless devotion to duty. Wounded at Shiloh, his horse shot under him at Chickamauga, wounded again before Atlanta, ragged, emaciated, racked with pain, with pallid face and thin lips set, you see that heroic figure on his crutches amid his companions in arms. It was at this time that there came to him the tempting offer of civic honors, of ease and wealth and fame. Unsolicited, a grateful and trusting people laid at his feet the chief magistracy of a sovereign State. The old soldier was immovable, setting his face like a flint toward the foe, whom he knew was destined to ultimate victory, he took in his manly arms his wretched companions and sent back to those who would tempt him with office or power that message which shall thrill all Tennesseans in the centuries yet to come:

I shall accept no civic honor as long as an enemy of Tennessee desecrates her soil.

Yonder in front of the White House, carved from bronze that for ages shall defy the wasting tooth of time, is an inspiring figure—a horse and rider facing the foe, instinct with courage and with life, drinking delight of battle upon the bloody plains.

It was not necessary to inscribe upon its base the name of Old Hickory. I invoke the genius of sculpture and of art to place beside it a companion piece; not an equestrian figure, but one bowed and racked with pain, leaning upon a broken crutch, covered with the blood and dirt of battle, with his back upon honor, wealth, and ease and still facing, with resolute and unfaltering courage, gloom and disaster, death and defeat. Jackson and BATE, fitting companions on the field of fame, twin stars in the galaxy of Tennessee's deathless and deified heroes.

It is true that his dauntless band endured famine and disaster, wounds and pestilence and death for a lost cause, that the flag they followed, now furled forever, is a conquered banner. But that banner and its story—

Sung by poets and by sages,
Shall go sounding down the ages,
Though its folds are in the dust.

It is an unholy cause or a weak one that needs the vulgar seal of success. He who perishes in a bad cause is a victim; he who dies for a good one, lost though it be, is a blessed martyr. Can you try the deathless dead by the narrow standard of success? If the laurel must always crown the hero's brow, we shall leave Hannibal at Zama, Napoleon at Waterloo, Columbus in prison, and Latimer at the stake. Proudly and sadly—

I sing the hymn of the conquered, who fell in the battle of life,
The hymn of the wounded, the beaten, who died overwhelmed in the strife;
Not the jubilant song of the victors, for whom the resounding acclaim
Of nations was lifted in chorus, whose brows wore the chaplet of fame,
But the hymn of the low and the humble, the weary, the broken in heart,
Who strove and who failed, acting bravely a silent and desperate part;
Whose youth bore no flower on its branches, whose hopes burned in ashes away,
From whose hands slipped the prize they had grasped at, who stood at the dying of day
With the wreck of their life all around them, unpitied, unheeded, alone,
With Death swooping down o'er their failure, and all but their faith overthrown.
While the voice of the world shouts its chorus, its pæan for those who have won,
While the trumpet is sounding triumphant, and high to the breeze and the sun
Glad banners are waving, hands clapping, and hurrying feet
Thronging after the laurel-crowned victors, I stand on the field of defeat,
In the shadow, with those who are fallen and wounded and dying, and then
Chant a requiem low, place my hand on their pain-knotted brows, breathe a prayer,
Hold the hand that is helpless, and whisper, "They only the victory win
Who have fought the good fight, and have vanquished the demon that tempts us within;
Who have held to their faith unseduced by the prize that the world holds on high;
Who have dared for a high cause to suffer, resist, fight—if need be, to die."
Speak, History, who are life's victors? Unroll thy long annals, and say
Are they those whom the world called the victors—who won the success of a day?
The martyrs or Nero? The Spartans, who fell at Thermopylæ's tryst,
Or the Persians and Xerxes? His judges or Socrates? Pilate or Christ?

Mr. LAMB. Mr. Speaker, on this Sabbath day we turn from the busy scenes of life to the contemplation of death. We stand weak, powerless, and appalled before the last enemy, our very souls echoing the thoughts that thrilled the heart of the poet who described the last hours of the brave Greek:

Come to the bridal chamber, Death;
Come to the mother, when she feels
For the first time her firstborn's breath;
Come when the blessed seals
That close the pestilence are broke
And crowned cities wail its stroke;
Come in consumption's ghastly form,
The earthquake shock, the ocean storm;
Come when the heart beats high and warm
With banquet song and dance and wine;
And thou are terrible—the tear,
The groan, the knell, the pall, the bier;
And all we know or dream or fear
Of agony are thine.

WILLIAM B. BATE was a soldier of two wars, a patriot, a distinguished lawyer, a pure and able statesman, and a Christian gentleman.

Devoted to his Southland and to his high ideals of duty, he never hesitated to give his time, his talents, and, if need be, lay down his life for the right as he saw it. A striking instance of his devotion to duty and high principles was shown in 1863, when though racked with pain and shattered by wounds he declined the honor and comparative ease and luxury of the governorship of Tennessee to remain in the army, saying:

As a son of Tennessee and a southern soldier I would feel dishonored in this hour of trial to quit the field. No, sirs; while an armed foe treads our soil and I can fire a shot or draw a blade, I will take no civic honor. I had rather, amid her misfortunes, be the defender than the governor of Tennessee.

Rarely have the marked characteristics of any man been so clearly portrayed in so few words. These were no idle sentiments; they were this man's early conceived principles, adhered to by him through sunshine and storm, through adversity and prosperity, to the close of a long and distinguished life.

A native of Sumner County, Tenn., he volunteered as a private in the Mexican war, in May, 1846, in Company F, Fourth Louisiana Infantry, and served with courage and fidelity in Mexico. In August, 1846, his company and regiment were mustered out, and he received an honorable discharge as a private.

He afterwards attended the law school at Lebanon, Tenn., and shortly after completion of his studies he was elected prosecuting attorney for his judicial district, discharging the duties with marked energy and ability.

A strong States-rights Democrat, he was an elector on the John C. Breckinridge Presidential ticket.

Immediately after the bombardment of Fort Sumter he advocated secession by Tennessee, and on her call for State troops volunteered as a private, was shortly made captain of his company, and, a little later, colonel of his regiment. So conspicuous was his gallantry and efficiency that he was honorably mentioned by Generals Cleburne and Hardee, and on October 3, 1862, he was promoted to brigadier-general.

The Eufaula Battery under BATE fired the first gun on Friday evening at Chickamauga and the last gun on Sunday evening, and the war maps show that BATE led his men that day farther to the front than any other man. In this engagement BATE'S brigade entered the fight with 1,055 muskets, and had killed and wounded 607 men. Every field officer in his brigade, except two or three, was either killed or wounded. After the battle President Davis followed in the track where BATE and his men had fought, and in less than thirty days Brigadier-General BATE of infantry was offered a major-general's commission of cavalry.

Many times he was severely wounded, and each time returned to active duty at the earliest moment he was fit for service.

For a more brilliant record for gallantry and efficiency and those sterling qualities that make our greatest soldiers we would search in vain. More love for his Southland had no man; none submitted to sacrifice and danger more cheerfully or followed the path of duty more strictly. Ability of the highest, ideals of the loftiest, an unstained sword, and a spotless character, is it any wonder that Tennessee delighted to honor her gifted and noble son?

He was no less conspicuous as a statesman than he was as a soldier. He served his State in peace with the same fidelity he had shown in war. He was defeated for the United States Senate by Andrew Johnson in 1870 by one vote.

Elected governor of Tennessee in 1882 and reelected in 1884. Elected to the United States Senate in 1887 and reelected in 1893, 1899, and 1905. He contracted pneumonia on March 4, 1905, at the inauguration ceremonies, from which he died.

His public and private life was exemplary; his military record a brilliant one. An able statesman, a consistent Christian, a noble citizen has entered on sleep.

Tennessee may well mourn and this House well honor this distinguished soldier, patriot, lawyer, and statesman, for it can be well said of him that he was indeed both "great and good."

In the death of Senator BATE another of the brave soldiers of forty years ago has answered the last summons and joined the great majority.

In the Fifty-fifth Congress we had thirty-two ex-Confederates in this House and sixteen in the Senate. This Congress numbers eight in the former and twelve in the latter. They are falling almost as rapidly as they fell in battle. The brave men whom they met in conflict, and by whose deeds of valor they well measured their manhood and chivalry, are falling at the rate of 1,000 a month.

Our deceased friend and colleague was a conspicuous figure in an army that has been rarely, if ever, equaled for valor, self-sacrifice, and devotion to duty.

The principles for which they fought and the righteousness of their cause is being recognized more and more by the world's best minds as the years pass by. It will not be many years before thoughtful men everywhere will be saying that possibly after all it would have been better for constitutional government and human liberty had the principles contended for in that struggle been established and maintained.

It is impossible to contemplate the passing away of these Confederates without calling to mind the conditions after their defeat that tried even more than war their courage and fortitude. We search the histories in vain for a parallel case to theirs. In this era of good feeling we do not like to dwell upon the helpless and almost hopeless condition of the southern soldiers and their families after Appomattox. Under good laws well administered it would have been a herculean task to restore their fallen fortunes. That they succeeded under all the evils of the worst legislation that ever affected a people is simply a miracle, and stamps them as the best, bravest, and truest men that have ever lived in all the tide of time.

The philosophical historian of the future will tell the wonderful story of their achievements in peace, and our children's children will set it to their credit as equal, if not surpassing, the victories they had won in war.

Before the last old soldier joins his comrades on the other side he will see his beloved Southland stronger in material resources and richer per capita than any part of the Union.

Treating the character of our deceased colleague as a type of the Confederate soldier, let me present this thought for the consideration of my colleagues and the friends of the deceased, as well as the reading public. The southern soldiers of the civil war were men of faith. They were raised in a period when faith was emphasized by the mothers of the South. The most momentous period for the South was from about 1840 to 1860. The character of the southern soldier was formed by their mothers chiefly during that period. It was a period of great prosperity and the fathers were making money. The wealth they then accumulated prolonged the unequal struggle for four years. The sons went to war strong in faith—not an ideal faith, mind you—not perfect, but sound and strong. Witness, if you will, the revivals in the Confederate army. It was wonderful. The strongest in faith remained to the last. The gentlest are always the bravest. They held many weak-hearted and weak-minded to their part by the powerful influence of example. Then those of most faith were often the first to fall. Death loves a shining mark, both in war and peace. We missed them daily and often said, "This can not last; all will be killed." But many returned. They and their sons have made this Southland to bloom as a rose.

They have set an example of faith that has been an inspiration and uplift to their fellow-citizens of this Republic. The Confederate soldier was an optimist during the war. He has been one since. He lived on faith and he fought with faith. Unfortunately many of them are living on faith alone now. In part, through his example, an atmosphere of faith has been created in our country. This faith has been quickened by science, literature, and poetry, all drawing inspiration from the Father and His Word. Could our colleague wire us from the spirit world to-day he would say with Browning:

God's in his heaven,
All's right with the world.

Or from Death in the Desert:

I say the acknowledgment of God in Christ,
Accepted by the reason, solves for thee
All questions in the earth and out of it,
And has so far advanced thee to be wise.

Or from the best illustration of faith ever written, he would give us this from In Memoriam:

> Strong Son of God, immortal love;
> Whom we, that have not seen Thy face,
> By faith, and faith alone, embrace,
> Believing where we can not prove.

Mr. DE ARMOND. Mr. Speaker, this is an occasion for speaking words of soberness and truth concerning a departed friend. It is so much a characteristic of our people and time to exaggerate in praise, and possibly to blame too much, that one of the most difficult accomplishments is to measure accurately a man's character and work and to express in terms of sobriety and truthfulness the estimate formed.

General BATE, as we knew him and as others before us knew him, was a man of high character and heroic purpose. He was a man of undoubted honesty and courage, a man who, unlike a large majority of us, had his own views of things and measured and directed his own course of conduct in accordance with those views. Most of us, chameleon like, take on the hues of our surroundings and change from time to time as they change. There are a few who seem to have an inner controlling life of their own, which colors things about them instead of taking color from objects and incidents with which they are brought into contact. Most of us in our little voyage through life hug the shore and forget the stars, and so are guided or misguided by the weak, near-by lights that shine dimly through the fog.

There are a few who seem to steer by the pole star, who get their light from the distance, beyond the mists, a light that, unvarying, faints not, changes not; and through the years of life, be they few or be they many, their bark is steered in a steady course by a fixed, unfailing light. General BATE seemed to be a man of that kind.

A soldier in the Mexican war, as a young man he shouldered his musket to go to distant fields of carnage and glory in the heroic day of a generation now gone. He illustrated, as hundreds of others did upon many a bloody field in far Mexico, the heroic qualities which characterized him and characterized the American soldier of that day, and, as we think, characterize the American soldier of every day. He made his way in civil life honorably, studiously, and courageously, having fixed principles and a steady hold upon them. When the warning notes of the great strife between the States came, when the storm long brewing broke, and the fateful bugles stirred the martial spirit of a proud, brave, confident people, it was natural that he, as it was natural that his neighbors also, should volunteer, and did volunteer, to fight under the banner of the stars and bars.

It would be surprising if he had not been a good soldier in that trying civil-war time, because he had given evidence and promise of the possession of the qualities necessary to make a good soldier. It was a time when the chivalry of the South, the manhood of the South, the courage and devotion and sacrifice of the South were challenged for all they were worth. Saying nothing—and here is not the time to say it—as to the causes of the war, or whether the war might have been avoided, or who was most at fault, or who was most in the right, the real test put up to the southern people was that of meeting at the threshold of home an invading force, a hostile army—an army of their brethren, it is true, but brethren in arms warring against them. That brought out, as it necessarily would bring out in that age or in any age of our country under any circumstances, the fighting forces and heroism of the old South.

General BATE was not an exceptional man in that great contest. There were few exceptional men in it. It was a contest in which nearly all were heroes, some in humble position in the ranks, charging with the bayonet, resisting the bloody onslaught; some in the garb of officers and with sword in hand; but in general it was a warfare of heroes, and the man who was not a hero in the strife was the exceptional man. This man of whom we speak to-day bore himself well in that war, as so many hundreds, so many thousands and tens of thousands of others, did. That he was sincere and that he was honest, that he was devoted to duty as he saw it, he gave, as so many others gave, the highest and final evidence, the conclusive proof, putting up his life as a risk, as a stake of the contest, and offering it a ready forfeit for success and against failure.

Shattered and broken in the conflict, wounded, sore, and bleeding, he still clung to his standards and clung to his sense of duty; still braved the dangers and the horrors of the battlefield. It was grand and heroic; it marked the character of a man made of the stern, sturdy stuff that is not exceptional, but rather characteristic of the American citizen. After the war, after the bloody strife had ended, after the cause was indeed a lost cause, lost forever, after the old Stars and Stripes again waved in triumph over the land, General BATE addressed himself, as so many thousands of others did, to the duties and cares and responsibilities of civil life, under sad circumstances, when everything was trying, when most things were depressing, and when but little was encouraging or inspiring. That in the period of rehabilitation following the war he acquitted himself bravely and well is undoubtedly true, and in speaking this truth we are speaking in honor of him and of those who shared the burdens and the cares, and, finally, the triumphs of those years.

It was perfectly natural that General BATE should be honored after the war by his people, as he was honored, in being made governor of a proud State and Senator in one of the greatest legislative bodies known to civilized man. That he acquitted himself well in these official stations is a credit to him, and no surprise to those who knew him. The South has honored her heroes, and has loved to honor them. There is, however, still left by the war that sentiment which prevails somewhere and manifests itself now and again, and that, not in the South, but somewhere else does put a certain kind of handicap upon the man who cast in his lot with the lost cause, and who in the terrible war wore the garb of gray, or who is a dutiful son of the South. Surely the South has shown a loyalty and devotion to the men who stood by her and fought for her in the dark and trying days of '61 to '65. These old heroes, as also those who fought against them, are fast passing away. The great majority are already numbered with the dead, and those who still linger are advancing in years and soon will pass over the great mystic river that all of us must cross. North, south, east, and west, as we get further and further from the bitter memories of the war, and as we paint in brighter colors and dwell in more loving phrase and more kindly thought upon its many glorious deeds, they are honored and revered more and more, whether they wore the blue or the gray. Only yesterday, all over the Southland, at many places in the North, and in lands beyond the seas, the memory of a southern soldier, one of the greatest men, not only of our own country and age, but of all countries and all ages, was strikingly honored in the celebration, in solemn and glorious form, of the one hundredth anniversary of his birth.

It is very difficult to speak of the living justly, kindly, and bravely. It is even more difficult to speak of the dead as real facts, tempered by mercy and charity, and yet guided and directed by courage and honesty, would suggest. As we come to the portals of the grave, as we bend over the bier of the departed, as we linger about the mound covered with flowers, under which rests him who was but no longer is of this world, judgment seems to surrender control, moderation to give way to extravagance, and we too often lose ourselves in an infinitude of meaningless phrases which sound and roll but signify nothing. Of this man it can be said—and if he could hear what we are saying, if it were possible, as it may be, for him to revisit these scenes and to know this afternoon what we are doing, I believe it would be pleasing to him to hear us in sincerity speak it of him—that he was a sturdy, honest, manly man; not the greatest man who ever lived, not the man upon whom ought to be piled the most exuberant utterance and the loftiest sounding words that our language may afford, but one who may be spoken of honestly and modestly and moderately as a man of the common people, honest to the core, true to principle and to friends and to duty; a man who hewed his way through life without asking odds of any, who never hesitated to strike when it was a duty to strike, and who never inflicted a needless hardship or a wrong upon any men consciously or knowingly.

We can say of him in moderation things which can be said truthfully of very few of us, and those things are words of praise—a good man, a true man, a brave man, a reliable friend and a faithful public servant, honest in the relations of public life and private life, ready to concede to others all that he asked for himself, demanding for himself nothing but what he regarded as his right; standing sturdily, whatever the odds or whatever the circumstances, where he thought duty required him to stand; opposing what he thought ought to be opposed and forwarding as far as he could what he thought ought to be advanced. This is a noble type of a sturdy manhood; this is a man out of the setting of the old age; a man who grew up in the pioneer days, who was disciplined and strengthened and developed in the hard times of the frontier, where the sturdy virtues shine, when the ornamentation of which we know so much to-day was absent, when men were esteemed for what they were and not so much for what they appeared to be, or for what

the adornments of wealth could add or what the blandishments of influence or power might give them for their brief day.

This man grew up in the wilds among a sturdy and heroic people. He was one of them. Their characteristics were his characteristics. He illustrated through his life just what he was. It was easy to know what he thought upon any question. It was easy, once you knew him, to anticipate what he would do in any particular emergency. He was not a man who sought to display all the attractive qualities that he possessed. He never sought to magnify himself or exploit himself. He was ever ready to hear the call of duty; but he never pushed himself forward; he was a plain, substantial, reliable, good man; a thoroughgoing, conscientious, faithful, devoted public servant; absolutely honest, incorruptible; a man for whom the blandishments of power had no charm, a man who never was affected by the frowns of those who might be above him, and never was swerved from any duty of his post by the sycophancy of those below him, who desired to accomplish something through him.

Mr. Speaker, the greatest thing about a man after all probably is the essence of real character. Now and then, and indeed frequently, you meet charms and graces and power of intellect. There are always to be found in the broad walks and in the narrow paths of life, everywhere, at all times, the excellent virtues that belong to good-fellowship and home, a kindly spirit and lovable disposition, the sturdy uncomplaining courage and patience with which burdens are borne, a modesty which is captivating; but seldom, oh, so seldom, is there combined, as there was combined in that man of whom I spoke a moment ago and whose memory now is a world memory, whose story is the story of the ages, whose example is for all time, that consummation and sublimation that gathers together all of perfection as nearly as it is possible in human form to find it, all of the graces and charms, all the strength, moderation, and restraint, all the breadth and generosity of the ideal yet real man.

Of course I speak of that rare man, Lee, of whom they spoke yesterday and last night—the man whose name is ringing down the aisles of time and whose memory will be as shining an example for thousands of years as it is to-day, aye, ten thousand years from to-day, if there be no hiatus in history, as it is now; of that grand old chieftain under whom General BATE fought with dauntless courage, who was not only great on the battlefield, but great in the council and transcendentally great in the elements of manhood and all things that go to illustrate the character of the gentlest, proudest, loftiest, noblest soul that our God in his wisdom, in the ages that have gone and in the time that is, ever breathed into one solitary human being.

Speaking of these sturdy qualities of General BATE, one is reminded almost irresistibly of the magnificent personality, of the matchless qualities, of the human completeness of his great commander. They have crossed over the river; they are gone to the other side; and the more we dwell upon them and the more we pattern after their virtues and their excellencies the better for us while we live and the better for our memories after we are gone.

Mr. ROBINSON of Arkansas. Mr. Speaker, we have assembled to commemorate the life, the character, and public services of Senator WILLIAM B. BATE. Arkansas joins with her sister States in expressing a sense of appreciation for the virtues of that faithful, favored, gifted son of Tennessee, who moves no more among the living.

From a consideration of his long, eventful life, crowned with every honor human love could give and fruitful of every benefit his efforts could confer upon his people, we learn the wisest lesson finite minds can grasp—the merit of right living. In this solemn hour, made sacred to his memory, we recall his unwavering fidelity to duty, his lifelong loyalty to manly honor. These are the pillars upon which his character was built. The achievements of selfish ambition are transient. The crowns they bring to weary brows soon crumble into dust. Their laurels wither in an hour. Their monuments are quickly obscured beneath the sands of time. But the monuments which patriots build defy the wrath of storms and master the might and blight of time. Self-sacrifice and devotion to duty are the most enduring attributes that adorn the soul. In the life of Senator BATE these qualities predominated.

There is a fullness, a completeness in his career that calms our grief and thrills our hearts with inspiration. For almost eighty years he lived to bless the world with noble thoughts and generous deeds. Those eighty years were crowded with important events to our nation and to the world. The highway that he chose in life was never devious. It was straight from the hour of his birth to the hour of his death. Like a lane between open fields, it ran all the way without one crook or turn. It was bright as the shining pathway of the just.

Few men live so long as he lived. Not many lives are filled with honors such as crowned his brow. It was given to him to serve his State and his nation in many positions of exalted trust. He always kept the faith. He never failed to do his duty. He guarded with sacred fidelity every interest intrusted to his care. His life was rich with varied experience. He knew all the hardships of physical toil, the peace of well-earned repose, the elation of success, the uncertainty of combat, the glory of triumph, and met with fortitude the high tide of defeat. Two things he never knew: Fear and dishonor. The great charm of his life story is that through all his years, through reverses and successes, his character remained unchanged, unsullied, and his name unstained.

Whether we think of him as a lad working in the sunny fields of Tennessee within sight and sound of the spot that gave him birth, or as a clerk on a steamboat that plowed the bosom of the Mississippi in the days when railroads were almost unknown; whether we observe him as a private soldier following with intrepid courage the Stars and Stripes in the war with Mexico, or leading the dashing battalions of the Confederacy amid scenes of bloody combat in the civil war; whether we contemplate him as State legislator, lawyer, public prosecutor, Presidential elector, governor, or Senator, he is the same humble yet indomitable spirit, always guided by heroic courage and unfaltering resolution.

He was as gallant in battle as the "Bravest of the Brave." When the civil war began, he was among the first Tennesseans to enlist in the Confederate army. Had either the State or the nation called alone, he would have responded joyfully, for the fear of danger never moved him. Had either Tennessee or the United States called him to arms against a foreign foe, his heart would have leaped to the contest, for the love of battle stirred him. But the call was the cry of Tennessee against the Union. Let no man living doubt that this ordeal was severe. To him who had known the glory of the Union flag and uplifted its fair folds in victory in a foreign land, the test was awful. But the brave man never faltered. He believed that Tennessee was right, and he went to battle under a strange, new flag, against the banner that his services in Mexico had helped to sanctify to freedom. We see him, wounded at Shiloh, his horse shot under him, in the very chasm of the conflict; we behold him at Hoovers Gap, holding at bay with a few men the army of General Rosecrans. He stands by the river of death, welcoming with open arms the oncoming foe when Chickamauga's carnival of death begins. We see him fighting at the head of his troops, undaunted, fearless, pressing farthest to the front. One thousand and fifty-five brave hearts charge into the conflict with him. When the fury of the battle is spent, six hundred and seven of them lie dead or wounded on the field, and among them lies almost every field officer in the regiment. He stands like a mountain of valor between Bragg's retreating hosts and utter rout at Missionary Ridge.

At Resaca he is breasting the flood of death and driving the enemy before him. He plunges into the trenches at Dallas and grapples hand to hand with his foes. Leading the flank movement under General Hardee, he precipitates the bloody battle of Atlanta. He is next falling in wrath on the Federal Army at Eutaw Springs, and plucking from its steady grasp the Union standards with the arm of victory; wounded again, he soon returns to his duty, and we see him with Hood fighting against fate through the disastrous Tennessee campaign. He faces death and baffles despair at Franklin, leading his soldiers into the enemy's trenches, and inspiring them by his own example to deeds of reckless daring. Behold him at Nashville when "the ranks are rolled in vapor and the winds are laid with sound," his regiment surrounded, himself still suffering from a wound, cheering his men to deeds of hopeless daring by the well-known signal of his crutch waved in mid air. He followed with the heroism of despair the receding tide of the Confederacy as it ebbed back into the Carolinas, and at Bentonville displayed unequaled valor, although he must have known his cause was doomed. When at Greensboro, N. C., May 1, 1865, he accepted his parole, he surrendered hate and malice, and resolved to start in life anew.

In that great war every battle produced a thousand heroes. In all the hosts that went to strife from 1861 to 1865 there was no braver soldier, no truer patriot, no nobler man in either army than WILLIAM B. BATE.

In politics, Senator BATE was a Democrat. He believed in the doctrine of States rights—the right and power of a State to govern itself in all matters of local concern. He thought that the States, having created the Federal Union, had the right to dissolve it when a cause arose that seemed to the State to justify such action. When the question of the right and power of a State to secede from the Union had been determined

against his views, he accepted the construction written with the sword by the hand of war on the Constitution in letters of blood, and, acknowledging the indissolubility of the Union, sought with sublime earnestness to preserve the liberties of the people and the rights of the States under the Constitution and within the Union.

When the war had passed and peace had come again to bless a reunited country, he began the practice of his profession, pursuing it with diligence and patience. As a lawyer he was successful. It is written that his services as public prosecutor were characterized by that high sense of duty and regard for ethics that seemed to inspire him in every relation of life. He served his party in its conventions and as Presidential elector, and was called by the people of Tennessee to the governor's office in 1882, and again in 1884 he was elected to that exalted position.

The last phase of his career began with his election to the United States Senate in 1887. How well he discharged the duties of Senator may be determined from the fact that for four successive terms he was elected to represent his State. The records of the Senate disclose that he was foremost in securing legislation for the advancement and improvement of agriculture. He resisted with all his power the attempt to pass the force bill. He maintained that the people of the States are capable of holding their own elections; that to impose Federal supervision of elections in the State is an unwarranted trespass by the General Government upon the right and power of the States to govern themselves. The defeat of the force bill was encompassed, and Senator BATE was reintrenched in the affections of the people of the South. He stood firmly against the forced alliance of Arizona with New Mexico, and ended his Senatorial career with a victory in behalf of what he deemed self-government.

Senator BATE was a distinct representative of a type of Senator that is rapidly passing. The ex-Confederate soldier will soon disappear from the United States Senate. Since the close of the war the Southern States have attested their faith in the men who fought the battles of the Confederacy by uniformly lavishing political honors upon them. The most distinguished Senators from the Southern States during the last thirty years were ex-Confederate soldiers. They had been tried in the glow of a fiery furnace and the public knew them to be worthy of honor and of confidence. Only a few remain in the Senate, but their presence there evidences the love and confidence which they earned by valor and retained by fidelity. What a race of men they were! What hardships they endured; what privations they experienced; what difficulties they encountered; what disappointments they met with; what victories they achieved; what defeats they suffered! What valorous deeds they performed in war; what patriotic purposes prompted them in peace! Bravest of soldieries the wars of the earth have known, our nation salutes you. Scarred cheeks and empty sleeves are your badges of bravery; honor, your watchword; courage, your inspiration; hope, your emblem; imperishable glory is, and ever shall be, your reward!

On Shiloh's field, fertilized with the ashes of fallen heroes and washed by streams of patriots' blood, stands a monument to the name of BATE. His fame is linked indissolubly with the glory of that field. But in the homes of Tennessee, crowning her hills and nestling in the shadows that lock within their soft embrace her peaceful valleys, are monuments to his renown more enduring than marble shafts. Those monuments are the love of loyal hearts and the confidence of faithful friends.

Farmer, lawyer, soldier, statesman! Faithful old friend of the people. You sleep to-day in the bosom of Tennessee secure in the love of all her citizens. She has given to fame a thousand names immortal, but none more everlasting than your own. For your patriotism and moderation, your nobility of purpose, your indomitable resolution, the Republic mourns your death and reveres your memory.

Mr. MEYER. Mr. Speaker, I rise to second the resolutions commemorative of the life and services of Gen. WILLIAM B. BATE, late Senator from the State of Tennessee, who died in this city on March 9, 1905.

My acquaintance with the late Senator dates from the period of the civil war, when every true son of the South felt impelled to devote himself to her cause and to the protection of her soil.

I first met him during the north Georgia campaign of a hundred days, when, as was once described by the distinguished general himself, "every movement was a battlefield and every battlefield a graveyard; when for one hundred days cannons thundered and muskets flashed, and for one hundred nights the stars looked down on new-made graves and new battle lines stained with blood." In all these conflicts General BATE took a conspicuous part. I remember vividly his courtesy and affability to me, a youthful staff officer, the more marked because of his commanding position.

Mr. Speaker, the story of Senator BATE's career has been told by faithful and loving eulogists. His career illustrates the beneficence of our institutions and how much may be accomplished under them by self-denial, hard work, inherent virtue, and earnestness of purpose. Young men may take courage from his example.

Born in the State of Tennessee, which he loved so well and served so splendidly throughout life, he received early an academic education, yet to broaden his practical knowledge and to maintain himself he worked as second clerk on a steamboat between Nashville and New Orleans. Later the military ardor inherent in the youth inspired him to enlist as a private throughout the Mexican war in Louisiana and Tennessee regiments, gaining an experience qualifying, training him for the brilliant career achieved in the four years of our bloody struggle.

Returning from the Mexican war, he applied himself to the study of the law, the profession of his choice, graduating from the Lebanon Law School in 1852. His rise was steady, crowded as the bar of Tennessee was by men of legal talents and acquirements, and even thus early his fellow-citizens conferred upon him many honors and evidences of confidence and distinction.

But BATE was much more than a sound successful lawyer and politician. He was not much beyond 30 years when the war began that involved our land in four years of desolatory conflict. The young lawyer was quick to take up arms for his State and section. Notwithstanding some military experience, he deemed it best to begin at the foot of the ladder. He enlisted as a private, but his capacity for duty as an officer, his industry, zeal, and high soldierly qualities soon secured for him a commission and steadily carried him through the various grades of lieutenant, captain, colonel, brigadier-general, and major-general, surrendering with the army of Tennessee in 1865.

Three times he was dangerously wounded, carrying the marks of his bravery to his dying day.

This rise was not due to favor or influence. He won his spurs fairly by solid, enduring merit and by the faithful performance of duty.

He rose to high rank in an army of brave men and skillful, tried, heroic officers, in such a host as has never been excelled in the story of human achievement, virtue, and endurance. Fighting against terrible odds, imperfectly armed and equipped, ill-fed, having no reenforcements to draw upon, fighting long months a losing battle, we can now hardly realize the constancy and inflexible courage it required in the commander, the strain upon the officers and men, but every one who knew or who served with General BATE in those dark days bears witness to his wonderful heroism and his knightly qualities.

He was a man among men.

Those who knew him personally and the strength of his personal character knew also there would be—there could be—no duty that he would not perform, whatever might be the personal risk or sacrifice; whatever man could do in onset or to cover retreat in case of disaster he would be sure to do.

He was a hero in the midst of heroes. By these he has been judged, and so the verdict will stand forever.

His monument is the history of the western army of the Southern Confederacy.

When that unfortunate war closed in conquest, ruin, and humiliation for the South, General BATE returned to his work as a lawyer; but even then, when the road to public distinction seemed closed to the returning soldiers of the lost cause, men like these were the natural counselors and leaders of the people, though in private life. Energetic in peace as he had been in war, he aided in wresting control of his State from the unworthy grasp of camp followers and renegades, and assisted to rehabilitate her after the degradation into which she had been plunged by the remorseless hordes which had used her only for purposes of plunder and personal aggrandizement.

But, Mr. Speaker, capabilities such as General BATE possessed were not permitted by his fellow-citizens to escape further public service in behalf of his people. Soon after Tennessee again came into the control of her own, in 1882, he was elected governor, and reelected without opposition in 1884. In January, 1887, he was elected to the United States Senate, and took his seat March 4 following, to which he was thrice reelected, holding this great position to the day of his death.

And upon his entrance into that distinguished assemblage he found himself, indeed, in goodly and familiar company, many of them men who, like himself, had given their youth and blood to the cause in which he had borne so conspicuous a part.

Among them I may mention BERRY and Jones, of Arkansas; BLACKBURN and Beck, of Kentucky; Joseph E. Brown and Colquitt, of Georgia; Butler and Hampton, of South Carolina; Cockrell and Vest, of Missouri; DANIEL, of Virginia; Eustis and Gibson, of Louisiana; George and Walthall, of Mississippi; Isham G. Harris, of Tennessee; Reagan and Coke, of Texas; Matt. Ransom and Zebulon Vance, of North Carolina, and MORGAN and Pugh, of Alabama—all of them bearing as eminent a part in the councils of the nation as they did in the campaigns and on the battlefields of the lost cause.

Mr. Speaker, I shall not dwell upon General BATE's career in the Senate. He led a quiet and simple life, such as the Senators from the South led in the old days when their thoughts and utterances were molding the doctrines of the Republic. But he was not an idle man. He neglected no public duty. He wasted no time in dissipation or the pursuit of pleasure. He was a practical, laborious Senator.

He studied all the public questions that came up, and on these he formed his opinions quietly and firmly. Everyone knew where to find him.

Thoughtful, observant, studious, and upright, courteous, yet frank and truthful, when he did speak he proved himself an able thinker, a brilliant and forceful speaker. He did not go around seeking to make friends; he had no such art; but such was his perfect rectitude, his love of truth, and his courtesy that when he passed from the Senate to his great reward there was not one there who did not feel that he who had died was worthy to have been a senator of Rome when Rome survived.

Tennessee loved and honored her noble son, and in this she honored herself. Never once was her pride and confidence in him withdrawn or even weakened. BATE could not but know and prize this wealth of trust and affection from his own people.

In the death of a man of the stamp of Senator BATE a whole nation sustains a loss. No man breathed who was more sincerely devoted to the best interests of his country, and his career as a Mexican and Confederate soldier and in public life is jeweled with examples of his admirable devotion to duty.

The State of Tennessee was his pride. To her he brought commanding talents, patriotic purpose, and a zeal for the cause of her people's rights.

In the councils of his country he was eminent for his wisdom, his eloquence, and purity of character.

Mr. Speaker, there has been no epoch in the history of mankind when public trusts were more difficult, when to serve the state required higher ability and higher personal qualities than in the thirty years that followed the civil war, and especially from the public men of the South.

They had to face a tempest of passion and a bitter prejudice that often brought a feeling to their hearts akin to despair.

To plead the cause of a weak and conquered people; to conciliate without sacrificing honor and duty, to be frank and yet not offensive; to lift up and regain the liberties of a trampled, hated, distrusted section; to make apparent all the good faith and patriotism of their constituents without resorting to unmanly recantations or fulsome protestations; to be patient and yet strong under the most trying provocation; to know what to yield and when to be firm; to hope on and fight on to restore the material prosperity and political future of their constituents, these, and far more than I can describe, were their difficult tasks.

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In all this great work the wisdom, thoughtfulness, and patriotism of an heroic man like BATE was an invaluable aid to Tennessee and the entire South.

If he had ambition, who shall blame him? It was an ambition not low nor selfish nor sordid. It inspired him to serve his State and the Union, to help to building an impoverished and suffering section, and to increase the happiness and progress of mankind.

It is by such generous aspirations that humanity advances to successive triumphs and states become great and opulent.

But, now, Mr. Speaker, we must realize that the knightly figure has gone from our view. I mean the earthly part, the casket which contained the jewel, but we can still see in the mind's eye the affable presence, the courteous mien, the kindly frank tone, the countenance in which never lurked an ignoble thought.

In the feverish, fretful struggle of life, with so much in its daily strife and contention that is sordid, saddening, and repulsive, it is refreshing to turn aside and study the lineaments of one who was a sterling patriot, an heroic soldier, a wise statesman, a devoted husband and father, a true friend, a gentleman of the South, in whom every element of our nature seemed blended in harmonious proportions.

Mr. GARRETT. Mr. Speaker, in common with all Tennesseans, I have some knowledge of Gen. WILLIAM B. BATE historically. His life touched four generations of our State, his public activities were linked with three, and during at least two of them he loomed quite large in the thoughts and affections and imaginations of our people. I had very limited opportunity, however, for obtaining a knowledge of his qualities and characteristics by personal contact or association with him. It was not my fortune to form his personal acquaintance until less than two years prior to his demise. He was the first governor of our Commonwealth whose election I can remember with distinctness, and I was but a small boy when he began his service as a Senator. His last term in the Senate began on the same day that my first and present term in the House commenced, and he died five days after this date, so that I had no opportunity of being associated with him officially.

Subsequent to my acquaintance with him, however, I was sometimes in his society, and can recall with keen pleasure conversations enjoyed with him. From these I can and do bear cheerful testimony to the kindly spirit which he displayed and the generous suggestions, both helpful and instructive, that he offered. His advices with myself subsequent to my election to Congress were not confined merely to the details of official duties and labor, nor to the expression of opinions and views with respect to public questions and issues, but in a kindly and, it may be said, a fatherly manner he spoke with me upon the more delicate questions of official conduct and decorum. I remember that the thought or theory which he seemed most anxious to emphasize and impress was that entire frankness, accompanied by courteous demeanor, was at once the fundamental duty of the public servant and the surest foundation for success, both temporary and ultimate.

The man who remains long in public service—

he said, in substance—

is brought face to face with many embarrassing and perplexing conditions. There are constantly arising contests between friends, conflicts between rival interests, both having claims upon him. Tact and courtesy and judgment must be displayed, of course, in such situations, but the easiest way out, the way which will prove least embarrassing and contribute most to the strength of the man among the people, is and will always be an entire frankness, accompanied by firmness not less pronounced because courteous.

There is nothing new about this thought, of course; it is as old as human society. But it is one which each generation must learn and can not be too often emphasized, and I deemed it a most praiseworthy act in that honored old public servant, standing in the gathering twilight of his splendid life—a life which had been crowned with rich honors and had as trophies the highest political prizes any single Commonwealth of these United States can bestow—to turn to one just entering, and that in early life, upon public activities in an official capacity and make this thought the uppermost and most emphatic.

The proof of that theory, if, indeed, sir, it may be called a theory, was demonstrated quite conspicuously in General BATE's own career. He held five different official civil positions by election of the people. To one of these, the governorship, he was twice elected. To the Senate of the United States he was four times commissioned. He received political support from three generations of Tennesseans. In all, he served the people for thirty years in official civil capacities, and this service began two-thirds of a century, almost, before it closed. If I remember correctly, he was never defeated but once when seeking public position. That was in 1875, when by one majority ex-President Johnson was elected to the Senate. And, sir, it has escaped my observation in studying his history if in all that time there was one instance of his deceiving man or men; if he ever evaded or sought to evade a responsibility; if he ever failed to meet any issue of his long life at, at least, the halfway point. During his long career he was a central figure in many heated and impassioned contests. Think, sir, what changes were wrought within the span of this man's life. Measured by the history that was made and by the experiences which accompanied its making, he lived far longer than did the ancient patriarchs who dwelt in the eastern land in mankind's early forenoon. What passions, what poems, what romances, what vicissitudes and vitalities were incident to his age! All the records of human achievements through all the misty ages might be utterly destroyed—aye, effaced even from tradition and erased from human recollection—save the records made within the years from his birth to his death and we should still have left accomplishments vast enough and great enough to appeal to highest human thought, to kindle the loftiest imagination, and to thrill human hearts with every delight and every despair which the spirit of man may feel. That age was a condensed résumé of all the ages that have been, an expanded expression of the thoughts that are, and a prophecy of the things that are to be.

From its activities and accomplishments philosopher and poet and painter and publicist and all may draw an inspiration with which to grapple the eternal problems arising from mankind's mighty movements and a wisdom with which to solve them in that manner that will lead the race onward and onward toward the heights, even the beautiful heights that lie beyond the trembling stars. The epitome of all life is in that epoch; the past, with its passion and its power; the present, with its prayer and its praise; the future, with its dread and its dreams.

And, sir, it is not saying too much to assert that the superlative of all the achievements of that period are to be found in the history of these United States. With these far-reaching activities the name of General BATE was linked, not always conspicuously, indeed, but often so, and always honorably. The contests in which he engaged were so environed that they brought into public view not only every quality of strength and every reserve power belonging to the man, but disclosed the flaws and exhibited the weaknesses as well. He emerged from them all not without criticism, it is true, but without a suggestion of shame or an insinuation of lack of moral or intellectual integrity. When you come to measure the manhood of a man, what greater encomium could be desired than that it may be truly said he fought always in the open sunlight, never evading an issue, never avoiding a question, never deceiving his fellow? So far as I am familiar with the record of General BATE, private and public, that may be truly said of him, and, I think, sir, it is very, very fine.

He possessed firmness, too, as well as frankness. His will was inflexible after his judgment had pointed the way. Had it not been so I am thoroughly convinced that he could never have met with such long-continued success in receiving honors from the people of that State. A distinguishing, perhaps one may say the distinguishing, characteristic of the men of Tennessee whose names are most illustrious in our annals and are best remembered, and upon whom Tennesseans bestowed their bravest admiration and evidences of loyal love, was inflexible determination, accompanied, it may be added, with aggressive, combative disposition. John Sevier, founder of the short-lived, romance-tinged State of Franklin and father of the eternal Commonwealth of Tennessee, upon whose simple tomb in the public square of beautiful Knoxville is inscribed the words "Thirty-five battles—thirty-five victories;" Robertson, who was to the Cumberland country what Sevier was to the Watauga; Houston, who laid aside the governorship of the State to enter the wilderness, from whence he emerged bearing to the sisterhood of States a new Commonwealth which he, with Austin, had founded and grounded; Jackson, whose ad sum will ring clear at every roll call of the immortals; Polk, who, as floor leader in this House, joined with another statesman whom Tennessee gave to Missouri in the bud of his intelligence and power, the great Senator Benton, to lead in rendering the Jackson Administration conspicuous forever, and who, when later elevated to the Presidency himself, gave to the country the most brilliant four years of his existence and the most successful administration in crystallizing into law the conceptions and policies in the public thought of the times of any in our history; Bell, the great ante-bellum Senator; Harris, the war governor and distinguished post-bellum Senator; Andrew Johnson, to whom a combat was meat and drink. In this list, which is but a partial one, of course, may be found conspicuous representatives of almost every shade of political thought during our ten and an hundred years of statehood, and the distinguishing characteristic of each, the quality which every Tennessee schoolboy first notes, was unyielding determination, combined with aggressive temperament. It is not putting it too strongly to say that General BATE was as inflexible as either of these and was of that type whom Tennesseans have most delighted to honor.

The details of his life have been sketched already with a refinement which leaves nothing to be desired. He was born upon historic ground, in the county of Sumner, near Bledsoes Lick, famed in the pioneer annals of our beloved State. This was one of the settlements of the Cumberland country established by the colonists who followed Robertson into the wilderness. The history of that settlement pulses with interest. It has seemed to me that one of the most significant, as it is one of the proudest of its records, is that of the hundred and fifty-seven men distributed over the several settlements comprised in the Cumberland country, whose names were signed to the compact of government drawn up by Robertson, a hundred and fifty-six wrote their names in good round English with their own hands. I doubt if this is true of a half dozen other pioneer settlements in history. The future soldier and publicist received his early training among the first generation of descendants of the pioneers, inheriting from his forefathers and absorbing from the tradition-saturated atmosphere about him a potent ambition and a sturdy self-reliance. Being in New Orleans as clerk on a steamboat at the outbreak of the Mexican war, he enlisted immediately in a Louisiana regiment sent to the relief of General Taylor, and was the first Tennessean to reach the scene of hostilities. When his term of enlistment in this regiment expired he joined the Tennesseans and served until the close of the war as lieutenant. Returning from that struggle, he established and for a time edited a newspaper in his native county. Not long after attaining his majority he was elected to the general assembly of the State, serving one term. Entering the practice of law, he was within two years made the district attorney of his judicial circuit, one of the most important in the State. In this capacity he served for six years.

In 1860 he was an elector on the Breckinridge-Lane ticket. With the first call for volunteers in the war of secession he enlisted as a private. He was speedily made captain of his company, and later colonel of his regiment, the second Tennessee. He was with this regiment in its aid to Bee and Jackson at the first Manassas; desperately wounded at Shiloh; fired the first gun at Chickamauga; at Thedfords Ford on Friday, and the last as the blue line rolled down Snodgrass Hill on Sunday; again wounded at Missionary Ridge; fighting at Resaca, at Dallas, around Atlanta; back with Hood into Tennessee to lead his men into that awful hell of fire that flamed across the open field from the embattled earthworks at Franklin; aiding in the retreat from Nashville and its disasters; thence into the Carolinas to stand in the firing line on crutches as Joe Johnston struck the last blow of the Confederacy at Bentonville; from Bull Run to Bentonville—he began at the beginning; it was the end when he quit. For some years he turns to his profession, and then political life lures him again. The governership in 1882 and 1884, reuniting a divided party, settling the question of a State debt; the Senatorship in 1887, again in 1893; again in 1899, and again in 1905—and then that incident which lies beyond our ken and of which we can only speculate; a funeral in the Chamber wherein he had sat so long; a journey back to Tennessee; a lying in state, while the thousands of the youth and old men, of maidens and mothers, passed by to look upon the last link that bound the first generation of Tennessee statecraft to the fourth; the interment among his kindred at Mount Olivet. His casket, sir, was draped with, and I think I have heard that he was buried wrapped in the flags of two governments—one the cross of St. Andrew, the symbol of a government that was; the other, insignia of a Government that is and, pray God, shall be always. This was quite as it should have been. He loved them both; both honored him; he gave to both his bravest and his best.

I have spoken of the life. Of the death I do not care to speak. He lived well; he was brave; he was clean; he was honest; he was a gentleman; his fiber was sound. He embodied the high virtues which Tennesseans in common with all the world admire. I have frequently thought, sir, that Tennesseans as a whole were much less demonstrative of what is called "State pride" than are the citizens of many of her sister Commonwealths. From a knowledge of them, however, I am convinced that this is not because they do not entertain it. Somewhat reserved, perhaps, as is their "bent and quality," they are intensely jealous of the honor of their Commonwealth, scrupulously regardful of the characters of those they trust with public service, and they gaze with piercing eyes straight into the life of him who seeks their favor. They looked so upon General BATE; they found him good; they found him sound; they clung by him. They gave great trusts into his hands with a confidence begotten of their belief in their own power to discern the worthy, and he passed those trusts back to them clean, unstained, unsullied. They were not surprised because they knew it would, it must, be so. He maintained the integrity of his compact with them. He kept the faith—even the great faith of Tennessee—the faith of her fair traditions, the faith of her sweet traditions, the faith of her past glory, of her past great glory, the faith of her past love, her past fathomless love, the faith of her public virtues, of her unsullied public virtues.

As in life they honored him because he was strong and brave and true, so now do they cherish his memory because he maintained unbroken every thread in the line of public luster and preserved the traditional loyalty to the good things of the soul and the great things of human relationship. He kept their faith. That was it. Through glory and through gloom he kept their faith, even the great faith of Tennesseans, and they are content, sir, quite content.

I have said that I do not care to speak of his death. I do not and I shall not in any language of my own. It was a part of

the day's work, an incident in the great sweep and scheme of things. It means much—just how much we do not know. Some time we shall know, no doubt, but not now; that is, not all of us. The poet may know; the poet does know most among men, both of the things of earth and of the things beyond the earth. A great southern poet has written a great poem about death. In some respects it is the greatest of all his poems, and I think some lines of it are quite appropriate just here.

Sad mortal! Couldst thou but know
What truly it means to die,
The wings of thy soul would glow
And the hopes of thy heart beat high;
Thou wouldst turn from the Pyrrhonist schools,
And laugh their jargon to scorn,
As the babble of midnight fools
Ere the morning of truth be born;
But I, earth's madness above,
In a kingdom of stormless breath—
I gaze on the glory of love
In the unveiled face of death.

I tell thee his face is fair
As the moon-bow's amber rings,
And the gleam in his unbound hair
Like the flush of a thousand springs;
His smile is the fathomless beam
Of the star-shine's sacred light,
When the summers of Southland dream
In the lap of the holy night;
For I, earth's blindness above,
In a kingdom of halcyon breath—
I gaze on the marvel of love
In the unveiled face of death.

Through the splendor of stars impearled
In the glow of the far-off grace,
He is soaring world by world
With the souls in his strong embrace;
Lone ethers, unstirred by a wind,
At the passage of Death grow sweet
With the fragrance that floats behind
The flash of his winged retreat;
And I, earth's madness above,
'Mid a kingdom of tranquil breath,
Have gazed on the luster of love
In the unveiled face of Death.

But beyond the stars and the sun
I can follow him still on his way,
Till the pearl-white gates are won
In the calm of the central day.
Far voices of fond acclaim
Thrill down from the place of souls,
As Death, with a touch like flame,
Uncloses the goal of goals;
And from heaven of heavens above
God speaketh with bateless breath—
My angel of perfect love
Is the angel men call Death!

[Mr. MOON of Tennessee addressed the House. See Appendix.]

Mr. HOUSTON. Mr. Speaker, it would be a reiteration for me to recount the life and deeds of the distinguished man to whose memory we are here to-day to pay just and loving tribute. This has already been fittingly and eloquently done. But coming from the district which I have the honor to represent in this body and knowing the strong hold that Senator BATE had on the confidence and affection of the people of this district, I feel that I must voice in a few words the love and respect felt by that people for his name and memory.

His State delighted to honor him while living and with unanimity mourned his death. His life illustrates the ends that may be attained by simple faith and unfailing devotion to duty and to his people is an ideal example of patriotism. He knew no halting at the call of duty and gave his utmost endeavor to every service that fell to his lot. Eager in the service of his country, he rushed to every post of duty. He gave his labor and shed his blood in her behalf. His chief characteristics were a devoted mind and an intrepid soul. He never swerved from the line of duty as he saw it, and no mortal danger ever caused him to quail or hesitate.

As a member of the legislature of his State; as the attorney-general of his judicial circuit; as a private and lieutenant in the Mexican war; as private, captain, colonel, brigadier-general, and major-general in the civil war; as governor of his State, and as Senator from that State—in each and all these places of honor and trust he did his part faithfully and well. He failed in no instance to measure up to the full performance of duty. His official career before and since the war is written in the records of his State and of the American Congress. And I desire to insert with these remarks his military record in the Mexican and civil wars as furnished me by The Military Secretary

This is his record as shown by the brief data of war, the unembellished statement of position held, and service performed. But the real record of this soldier is not portrayed in this short official recital; it remains yet for the historian to give that record in its fullness. It lives in fragments in the minds and memories of his surviving comrades, as they were associated with different parts of his career. It is green in their hearts and will be until these hearts have stilled their motion. It glows in the traditions and tales that are the common heritage of the sons and daughters of southern soldiers. It lives in the song and story of his section and will be crystallized in American history when history shall, as history will, accurately set forth the valor and heroism of the gallant men who wore the gray.

But his career in war was only a part of his life. There is another and a larger part of it that endears him to his people. When the war was ended he in good faith accepted the conditions and did all in his power to restore peace, that "blessed peace so dear to God and inappreciably valuable to man." Then in the ranks of the civilian he measured up to the loftiest standard. He who had so gallantly led his people on the field of battle was a conspicuous example and leader in the paths of peace. With courage and patriotism he met the trying conditions of the days just after the war, and with patience, prudence, and moderation as his guides rendered signal service in tiding over this difficult period and restoring loyal allegiance to a reunited country. And later on, when again called by his people into public service as governor of his State, his administration was just and sagacious, and as a Senator his course was noted for its wisdom and absolute fidelity to every trust.

His career was marked by intelligent application and industry. The conscientious performance of duty was the doctrine that guided his every step, and the people of his State knew that in him they had a representative who could bring no reproach, but would reflect honor upon the State that so loved to honor him.

Mr. Speaker, the respect and confidence that the people of Tennessee reposed in Senator BATE was a treasure that a king should be proud of. And this treasure he earned by honest and faithful service to his people. In every walk of life he held their approval. That whole life was devoted to their service. In times of peace he labored for them; in times of war he led them in battle. As a civilian he served them with distinction; as a soldier his record is that of a hero. Three times he was dangerously wounded in battle; still he was undismayed and fought on, maimed and crippled in body, yet undaunted in soul. His devotion was so great he could not hesitate or falter; his faith and purpose so steadfast he could not turn his mind from the course of duty, and no peril to himself ever checked him in that course. He fought a good fight. To his intrepid spirit was due the success of his life, and he attained his purpose and ambition in life to a remarkable degree. His career was rich in honors and ripe in years, but—

The hand of the Reaper
Takes the ears that are hoary.

And at the age of almost fourscore he was gathered to his fathers. He was laid to rest beneath the sod of his own native State. His comrades buried him with the honors of war and his State bowed its head in reverent sorrow.

His natural instincts to do his whole duty on every occasion and his disregard of danger to himself was perhaps the cause of his sudden end of life. His attendance and part in the inaugural ceremonies of the President and the exposure resulting from it was more than his years and strength could stand. In a few short days the summons came. And the same high courage that had borne him through so many conflicts sustained him then and with fortitude and resignation he answered the last call. In that hour he was a conqueror still. He died the death of the righteous, universally lamented as a model of the true and the valiant—as an honest and earnest patriot.

The fairest treasure mortal times afford
Is spotless reputation.

This treasure Senator BATE possessed in life, and dying left as a heritage to his people.

War Department, The Military Secretary's Office. Statement of the military service of WILLIAM B. BATE, war with Mexico.

WILLIAM B. BATE was mustered into the service of the United States at New Orleans, La., May 15, 1846, as a sergeant in Company F, Fourth Louisiana Infantry, to serve six months. The regiment arrived at Brazos Santiago May 26, 1846, and at Lomita, Mexico, June 4, 1846. He was honorably mustered out of service with his company and regiment, as a private, at New Orleans, La., August 14, 1846.

He reentered the service at Nashville, Tenn., October 2, 1847, as a private in Company I, Third Tennessee Infantry, commanded by Col. Benjamin F. Cheatham, to serve during the war, and was promoted to be first lieutenant of the same company October 8, 1847. He accompanied his regiment to Mexico, in which country it was stationed at the City of Mexico, Vera Cruz, Jalapa, Puebla, and Molino del Rey. Returning to the United States, he was honorably mustered out with his company and regiment at Memphis, Tenn., July 22, 1848.

CIVIL WAR.

WILLIAM B. BATE was elected colonel of the Second Tennessee Infantry, Provisional Army, May 6, 1861, and was appointed to that

position by the President of the Confederate States, to take rank April 27, 1861; was promoted to be brigadier-general, Provisional Army, October 3, 1862, and to major-general, Provisional Army, February 23, 1864.

From May 26, 1861, to July 18, 1861, Colonel BATE and his regiment performed duty at Fredericksburg, Brookes Station, and other points between the Potomac and Rappahannock rivers, in the military department of Fredericksburg, bearing a part in resisting an attack by Union naval vessels on the Confederate batteries at Aquia Creek June 1, 1861. Of Colonel BATE's service on this occasion, Col. Daniel Ruggles, his superior commander, says:

"The conduct of my entire force under the command of Colonel BATE, of the Walker Legion, until my arrival on the field, was admirable throughout the day."

Another officer, writing from Aquia Creek to the Confederate secretary of war, under date of June 1, 1861, says:

"Colonel BATE has been assigned the command of the brigade here, composed of his own regiment and the Virginia troops present, and is working with a zeal consistent with the energy and enthusiasm of his nature."

The Second Tennessee was on the field of the first battle of Bull Run, fought July 21, 1861, as a part of Brig. Gen. T. H. Holmes's brigade, but it did not become actively engaged with the enemy. Soon afterwards the regiment returned to the line of the Potomac and was stationed at Evansport, Va., where it confronted the Union forces occupying the Maryland side of the river, until February, 1862. About the middle of that month, a sufficient number of its members having reenlisted for the war and thus insured the continuation of the organization beyond its first year's enlistment, Colonel BATE conducted the reenlisted men to Tennessee on a furlough granted until April 1, 1862.

The regiment was reorganized at Corinth, Miss., April 3, 1862, and under the command of Colonel BATE, participated in the battle of Shiloh, Tenn., April 6, 1862. General Cleburne, the brigadier commander, in his official report, refers to the regiment and its commander as follows:

"Here the Second Tennessee, coming up on the left, charged through a murderous cross fire. The gallant major * * * fell mortally wounded, and the colonel, W. B. BATE, had his leg broken by a minie ball. Tennessee can never mourn for a nobler band than fell this day in her Second Regiment."

Under date of November 22, 1862, General Braxton Bragg, commanding the Army of Tennessee, reported to the adjutant and inspector general, C. S. A., that "BATE and * * * are not likely to return to field duty for months." On February 23, 1863, Brigadier-General BATE, then in temporary command of the District of the Tennessee, was assigned to duty with Lieutenant-General Polk's corps, and on March 12, 1863, was placed in command of a brigade in Stewart's division. He subsequently bore a part in the Tullahoma campaign, being engaged in action at Hoovers Gap, Tenn., June 24–26, 1863. He also participated, as a brigade commander, in the succeeding campaign of Chickamauga. Regarding his services in the battle of Chickamauga, September 19 and 20, 1863, General Stewart, the division commander, says:

"I desire to express my high appreciation of Brigadier-Generals Brown, BATE, and Clayton, and of their respective commands. Representing the three States of Alabama, Georgia, and Tennessee, they vied with each other in deeds of high and noble daring. The Confederacy has nowhere braver defenders led by more skillful commanders."

He continued to command a brigade in the ensuing Chattanooga-Ringgold campaign until November 19, 1863, on which date, by virtue of seniority of rank, he was placed in command of Breckinridge's division, which he commanded in the battle of Missionary Ridge, November 25, 1863, and in covering the retreat of the Confederate army therefrom. General Bragg, the army commander, in his official report, says:

"Brigadier-Generals * * * and BATE * * * were distinguished for coolness, gallantry, and successful conduct throughout the engagements in the rear guard on the retreat."

On February 27, 1864, while at Dalton, Ga., Major-General BATE was regularly assigned to the command of Breckinridge's division, which was thereafter designated as "BATE's division."

In opposing General Sherman's advance on Atlanta, with General Hood's northward movement, culminating in the battles of Franklin and Nashville, and in the campaign of the Carolinas, terminating in the surrender of General Johnston's army at Durham Station, N. C., April 26, 1865, General BATE bore an active part, being wounded in front of Atlanta, August 10, 1864. All of the troops of Cheatham's corps engaged in the battle of Bentonville, N. C., March 19, 1865, were commanded by General BATE. He was paroled at Greensboro, N. C., May 1, 1865.

Official statement furnished to Hon. WILLIAM C. HOUSTON, House of Representatives, December 22, 1906.

By authority of the Secretary of War:

F. C. AINSWORTH,
The Military Secretary.

[Mr. PADGETT addressed the House. See Appendix.]

Mr. SIMS. Mr. Speaker, after all that has been said as to the life, character, and public services of the late lamented Senator BATE in this House and in the Senate, I find it difficult to express myself so as not to appear as repeating and adopting the words and ideas of those who have preceded me in addressing the House on this sad occasion. But it will be an even more difficult task to relate all in the life of the great Senator that will be of benefit to those of us who survive him and to those who come after us.

I have known Senator BATE intimately for thirty years, and I never knew a nobler man, one whose every act and deed, whether private or public, was more worthy of example.

I shall leave to others who are more familiar with his career as a soldier the narrative of his military achievements. I feel incompetent to do him justice in that regard. I shall not dwell on his record as governor of Tennessee nor on his record as a Senator. All these have received treatment at the hands of those better fitted for it than I am. I think, in relating the facts in the life of a good and great man, that it is well to tell of the little things with which every day is crowded, but which, being of apparently no consequence, are not the result of effort or study, but are the uncolored outgivings of the heart—the real man and not the actor.

When I first came to Washington as a Member of the Fifty-fifth Congress at the extraordinary session, in March, 1897, I took my meals at the Ebbitt House, the well-known hotel in this city where Senator BATE lived all the time of his Senatorial career and where he died. I was asked by him to sit at his table and take my meals with the Senator and his noble wife. In this way, during more than four months of that session of Congress, I was the constant companion of the Senator. Though he was old enough to have been my father, I found him one of the most interesting, pleasant, affable, and desirable companions I ever had, regardless of age. During this time I never saw him angry, never heard him scold or speak cross to a servant; was always most punctual in his attendance at meals; always gave Mrs. Bate as much personal attention and gallant consideration as if she was in her girlhood teens and he her lover and suitor, instead of the gray-haired grandsire that he was.

I never in all my acquaintance with him heard him say one unkind word about anybody. He seemed to be governed in his conversation about others by the rule that if he could not say anything good about them to say nothing. He never took advantage of the privilege of a private conversation to abuse and denounce anyone, however much he might disagree with them. He was always bold and strong in his denunciation of wrong as such and never excused or palliated what was really wrong in his best friend, but in doing so he always refrained from personal abuse or inuendo.

His integrity and purity of life were his elements of greatest strength. Although a learned lawyer, a great orator, an accomplished scholar, his character for old-fashioned honesty was his greatest element of power and influence in the Senate. No man was ever heard to question his honesty of purpose whatever his position might be on any question.

In his long career there was never even so much as a whisper of scandal in connection with any of his public acts. He was liberal, but not extravagant. He died a much poorer man than when he first came to the Senate. He was fortunate in that he had a competence when he entered public office, and his views of public duty were such that he retired from all active professional or business pursuits and gave all his time and energies to his Senatorial duties.

It is sad to think that the meager compensation of Senators will not permit them to serve in that great body, giving all their time and strength to their public duties, except at a sacrifice to themselves and their families. But such has been the fact so long that the public have concluded that the only acceptable evidence of official honesty is to quit office in poverty, or at least in reduced circumstances.

The great Senator, figuratively speaking, was so erect in his relations with the world while in office that he appeared to lean backward. He literally shunned the very appearance of evil. I knew of an instance where an old and loved friend of the Senator had received his aid in a matter—not strictly official in character, but while in office—who afterwards sent the Senator a present of small value simply as a token of gratitude, who was greatly mortified when the Senator returned the article with a letter thanking his friend for his intended kindness, but refusing absolutely to receive anything of the slightest value as a gratuity, however innocent the intention of the donor might be.

He refused all courtesies in the way of free railroad transportation and express or telegraph franks, but never in the slightest impugned the motives of any other man who did not follow in his footsteps.

He was indefatigable in his official labors. As a Member of the House I have had every opportunity to know him well in this regard. I was often interested in the passage of a private bill in the Senate, and on account of the Senator's great age and out of a feeling of kindness to him I have sometimes asked the then junior Senator to look after a private bill; but Senator BATE in every instance asked me why I did not come to him in the matter and always seemed hurt because I did not put the bill in his hands. His love for work was so great that he seemed to want to do it all, and any manifestation of sympathy for him on account of his age or infirmities seemed to be painful to him.

I saw him on the day of the inauguration of President Roosevelt on his way to the platform to take his seat as a member of the inaugural committee. In the Rotunda of the Capitol on his way I saw he appeared to be fatigued, pale, and exhausted. He was urged by an employee of the Senate who took note of his

condition not to go out in the cold wind and sit with the committee, but the Senator would not heed the efforts of his friends, but, in what he regarded as a discharge of duty, made his way to the front of the inaugural platform, took his seat, and remained there until the inaugural ceremonies were over, exposed to a cold north wind, from which exposure he took the severe cold, resulting in fatal illness of only three days' duration. He thus literally died at his post; he fell on the firing line.

Mr. Speaker, to state all that occurred in the life of Senator BATE that is useful and instructive to the people of his State and nation would fill a large volume, which is impossible on this occasion, but I hope some gifted writer will do justice to his name and fame and leave in enduring form a full and complete history of the public and private acts of this good and great man.

Mr. Speaker, I had the honor to be on the committee appointed by the Speaker of the House of Representatives to attend the funeral and burial of Senator BATE, which took place at Nashville, Tenn., with military honors, on the 13th day of March, 1905. Tennessee has had many great and well-beloved men, and her people love to show their love for her great and glorious dead; but I never heard of and certainly never saw the attendance of so large a gathering of the people of Tennessee at the funeral and burial of any other man as was in attendance at that of Senator BATE. The people of every walk of life from every part of the State came in almost numberless thousands, and with bowed, bared heads paid the hero dead the last but most tender tribute of their love and respect by the shedding of unaffected tears. Though dead, yet he lives in the example of a good and great life by the following of whose teachings all the world may be made better.

The SPEAKER pro tempore. In pursuance of the resolutions heretofore adopted, and as a further mark of respect to the deceased Senator, the House will stand adjourned.

Accordingly (at 5 o'clock and 42 minutes) the House adjourned.

SENATE.

MONDAY, *January 21, 1907.*

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

SHORTAGE OF CARS.

The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 14th instant, a transcript of the testimony taken by the Interstate Commerce Commission at St. Louis, Mo., December 18 and 19, 1906, and at Kansas City, Mo., December 20 and 21, 1906, in the matter of car shortage and other insufficient transportation facilities; which, with the accompanying paper, was referred to the Committee on Interstate Commerce, and ordered to be printed.

INVESTIGATION OF BLACK SANDS OF PACIFIC SLOPE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 14th instant, a letter from the Director of the Geological Survey, forwarding a report on the progress of the investigation of the electric smelting of iron ores, included in the investigation on the black sands of the Pacific slope, and stating that, in his judgment, the work of the investigation should be continued and an adequate appropriation made therefor; which, with the accompanying papers and illustrations, was referred to the Committee on the Geological Survey, and ordered to be printed.

FIRE CONTROL AT FORTIFICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting a supplemental estimate of appropriation for fire control at fortifications, $3,800; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PURCHASE OF COAL.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to a resolution of June 29, 1906, a report showing the quantity and character of coal purchased by the Department of Commerce and Labor during the fiscal year ended June 30, 1906, the amount contracted for the present fiscal year, together with certain information regarding the contracting parties, the price paid or to be paid and the form and conditions of contract; which, with the accompanying papers, was ordered to lie on the table, and be printed.

FRENCH SPOLIATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the vessel schooner *Columbus*, James Fullerton, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Little John Butler*, James Smith, jr., master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Trustees of Decatur Lodge, No. 52, Independent Order of Odd Fellows, of Decatur, Ala., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

CREDENTIALS.

Mr. LODGE presented the credentials of WINTHROP MURRAY CRANE, chosen by the legislature of the State of Massachusetts a Senator from that State for the term commencing March 4, 1907; which were read and ordered to be filed.

Mr. ALLEE presented the credentials of Harry A. Richardson, chosen by the legislature of the State of Delaware a Senator from that State for the term beginning March 4, 1907; which were read and ordered to be filed.

EFFICIENCY OF THE ARTILLERY.

Mr. KEAN. On Friday last I entered a motion to reconsider the vote by which the bill (S. 3923) to reorganize and to increase the efficiency of the artillery of the United States Army was passed. Now that Senators have had notice of the passage of the bill, I withdraw my motion to reconsider.

The VICE-PRESIDENT. The Senator from New Jersey withdraws his motion to reconsider, and the bill stands passed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of sundry Hebrew citizens of Savannah, Ga., remonstrating against the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

Mr. KEAN presented a petition of the New Jersey State Horticultural Society, of Mount Holly, N. J., praying for the enactment of legislation to continue the minimum duty imposed by the German Government on green and dried apples; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Club of East Orange, N. J., praying for the enactment of legislation to regulate the employment of child labor and providing a public playground for children in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Bordentown, N. J., praying for an investigation into the dismissal of the three companies of the Twenty-fifth Infantry; which was ordered to lie on the table.

He also presented the petition of J. W. Hamer, of Beverly, N. J., praying for the enactment of legislation to increase the efficiency of the personnel of the line of the Navy; which was referred to the Committee on Naval Affairs.

Mr. PLATT presented memorials of sundry citizens of Brooklyn and Lockport and Onondaga Council, No. 10, Junior Order of United American Mechanics, of Syracuse, all in the State of New York, remonstrating against the enactment of legislation to restrict immigration with the educational test clause omitted; which were referred to the Committee on Immigration.

He also presented a petition of Hartwell T. Martyn Post, No. 346, Department of New York, Grand Army of the Republic, of Canton, N. Y., praying for the enactment of legislation granting an increase of pension to the veterans of the civil war; which was ordered to lie on the table.

He also presented petitions of sundry citizens of Pavilion, of the Woman's Christian Temperance Union of Chautauqua County, and of the congregations of the Methodist Episcopal